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GOVERNMENT OF PAKISTAN
MINISTRY OF LAW



A COLLECTION OF
THE
CENTRAL ACTS AND ORDINANCES
FOR THE YEAR
1951

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SHORT TITLES
OF
THE CENTRAL ACTS AND ORDINANCES
FOR THE YEAR 1951

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- I The Finance Act, 1951.
- II The Pakistan Citizenship Act, 1951.
- III The Sales Tax Act, 1951.
- IV The Iqbal Academy Act, 1951.
- V The University of Karachi (Amendment) Act, 1951.
- VI The Pakistan (Administration of Evacuee Property) (Amendment) Act, 1951.
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- IX The East Bengal Disturbed Areas (Special Powers of Armed Forces) Act, 1951.
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II	The Tariff (Amendment) Ordinance, 1951.
III	The University of Karachi (Amendment) Ordinance, 1951.
IV	The Indian Army (Application of Provisions) (Amendment) Ordinance, 1951.
V	The Control of Shipping (Amendment) Ordinance, 1951.
VI	The Civil Defence (Special Powers) Ordinance, 1951.
VII	The Tariff (Amendment) Ordinance, 1951.
VIII	The Civil Defence Ordinance, 1951.
IX	The Indian Army (Application of Provisions) (Second Amendment) Ordinance, 1951.

- I of 1944. 8. Until the thirty-first day of March, 1952, each entry of duty set forth in the third column against sub-item II (2) of item 9 of the First Schedule to the Central Excises and Salt Act, 1944, shall have effect as if the words "plus one-fourth of the total duty" were added to it. Additional duty of excise on cigarettes.
- XI of 1922. 9. The following amendments shall be made in the Income-tax Act, 1922, namely :—
- (1) In sub-section (3) of section 4,—
- (a) to clause (i) the following proviso shall be added, namely :—
- "Provided that in the case of income derived from business this clause shall not apply unless the business is carried on on behalf of a religious or charitable institution and the income is applied solely for the purpose of the institution, and either,
- (i) the business is carried on in the course of the carrying out of a primary purpose of the institution ; or
- (ii) the work in connection with the business is mainly carried on by beneficiaries of the institution."
- (b) Clause (ia) shall be deleted.
- (2) At the end of clause (xii) of sub-section (3) of section 4, the following shall be inserted, namely :—
- "This clause shall have like effect in respect of a building the erection of which is begun and completed between the first day of April, 1951, and the thirty-first day of March, 1953, both dates inclusive."
- (3) In section 15B, for sub-section (7) the following shall be substituted, namely :—
- "(7) The provisions of this section shall apply to assessments for the years commencing on the first day of April, 1948, and ending on the thirty-first day of March, 1956 :
- Provided that the said provisions shall not apply, in relation to any industrial undertaking, save to assessments for the five consecutive years—
- (a) commencing on the said day, or,
- (b) if the undertaking is set up or commenced after that day, commencing next after the undertaking is set up or commenced."
- (4) After section 15B, the following section shall be inserted, namely :—
- "15C. (1) Subject to the provisions of this section, there shall, in the case of an assessee not being a company, be exempt from the tax payable under this Act a portion of his total income, determined as hereinafter
- Amendment of sections 4, 15B, 16, 17, 34 and 36 and insertion of new section 15C in Act XI of 1922.
- Exemption from tax on account of investment.

provided, in relation to the amount subscribed and paid by him in the previous year for the acquisition of any part of the share capital of a company as described in this section.

- (2) The portion of total income exempt under the foregoing sub-section shall be an amount equal to one-fourth of the amount so subscribed and paid, but not exceeding one-tenth of the total income of the assessee.
- (3) The company referred to in sub-section (1) shall be a company which fulfils the following conditions, namely :—
 - (a) that it is a company formed and registered under the Companies Act, 1913, having its registered office in British India ; and VII of 1913.
 - (b) that it is a company in which the public are substantially interested within the meaning of the *Explanation* to sub-section (1) of section 23A or a subsidiary company of such a company if the whole of the share capital of such subsidiary company is held by the parent company or by the nominees thereof ; and
 - (c) that it is declared by the Central Government to be a company engaged in or formed for the purpose of carrying on an approved industrial undertaking in British India.
- (4) The expression "share capital" means the capital subscribed pursuant to the memorandum of association of a company and includes capital subsequently issued, but does not include stocks or shares acquired by purchase or transfer from a previous shareholder or stockholder.
- (5) The Central Government may make rules regulating the procedure for the grant of the exemption and any other matter incidental to the operation of this section.
- (6) The provisions of this section shall apply to share capital subscribed and paid in the period beginning from the 1st day of April, 1951, and ending on the thirty-first day of March, 1953."
- (5) In clause (a) of sub-section (1) of section 16, for the words and figures "section 14 and section 15" the words, comma, figures and letter "section 14, section 15 and section 15C" shall be substituted.
- (6) In sub-section (3) of section 17, after the figures and letter "15B" the word, figures and letter "or 15C" shall be inserted.
- (7) In sub-section (3) of section 34, for the figures "1951" the figures "1952" shall be substituted.

(8) The following shall be substituted for section 36, namely :—

“36. In the determination of the amount of tax or of a refund payable under this Act, fractions of a rupee less than eight annas shall be disregarded, and fractions of a rupee equal to or exceeding eight annas shall be regarded as one rupee.”

Tax to be calculated to the nearest rupee.

10. The following amendment shall be made in the Amendment of section 2, Act XXI of 1947.
XXI of 1947. Business Profits Tax Act, 1947, namely :—

In sub-clause (a) of clause (4) of section 2, for the words and figures “31st day of March, 1950” the words and figures “thirty-first day of March, 1951” shall be substituted.

11. In sub-section (7) of section 55 of the Estate Duty Act, 1950, for the word “twelve” the word “eighteen” shall be substituted and shall be deemed always to have been substituted. Amendment of section 55 of Act X of 1950.

12. (1) Subject to the provisions of sub-sections (3), (4) and (5), for the year beginning on the first day of April, 1951— Income-tax and super-tax.

(a) income-tax shall be charged at the rates specified in Part I of the Third Schedule ; and

(b) the rates of super-tax shall, for the purposes of section 55 of the Income-tax Act, 1922, be those specified in Part II of the Third Schedule. XI of 1922.

(2) In making any assessment for the year ending on the thirty-first day of March, 1952, there shall be deducted from the total income of an assessee in accordance with the provisions of section 15A of the Income-tax Act, 1922, an amount equal to one-fifth of the earned income, if any, included in his total income, but not exceeding in any case four thousand rupees. XI of 1922.

(3) In making any assessment for the year ending on the thirty-first day of March, 1952,—

(a) where the total income of an assessee, not being a company, includes any income chargeable under the head “Salaries” as reduced by the deduction for earned income appropriate thereto, or any income chargeable under the head “Interest on securities”, or any income from dividends in respect of which by virtue of section 49B of the Income-tax Act, 1922, he is deemed himself to have paid income-tax imposed under that Act, the income-tax payable by the assessee on that part of his total income which consists of such inclusions shall be an amount bearing to the total amount of income-tax payable

XI of 1922.

according to the rates applicable under the operation of the Finance Act, 1950, on his total income the same proportion as the amount of such inclusions bears to his total income ;

- (b) where the total income of an assessee, not being a company, includes any income chargeable under the head "Salaries" on which super-tax has been or might have been deducted under the provisions of sub-section (2) of section 18 of the Income-tax Act, 1922, the super-tax payable by the assessee on that portion of his total income which consists of such inclusion shall be an amount bearing to the total amount of super-tax payable according to the rates applicable under the operation of the Finance Act, 1950, on his total income the same proportion as the amount of such inclusion bears to his total income.

(4) In making any assessment for the year ending on the thirty-first day of March, 1952,—

- (a) where the total income of a company includes any profits and gains from life insurance business, the super-tax payable by the company shall be reduced by an amount computed at the rate of two annas in the rupee on that part of its total income which consists of such inclusion ;
- (b) where the total income of an assessee, not being a company, includes any profits and gains from life insurance business, the income-tax and super-tax payable by the assessee on that part of his total income which consists of such inclusion shall be an amount bearing to the total amount of such taxes payable on his total income according to the rates applicable under the operation of the Indian Finance Act, 1942, the same proportion as the amount of such inclusion bears to his total income, so however that the aggregate of the taxes so computed in respect of such inclusion shall not in any case exceed the amount of tax payable on such inclusion at the rate of five annas in the rupee.

(5) In cases to which section 17 of the Income-tax Act, 1922, applies, the tax chargeable shall be determined as provided in that section, but with reference to the rates imposed by sub-section (1), and in accordance, where applicable, with the provisions of sub-sections (3) and (4) of this section.

XI of 1922. (6) For the purposes of making any deduction of income-tax in the year beginning on the first day of April, 1951, under sub-section (2) or sub-section (2B) of section 18 of the Income-tax Act, 1922, from any earned income chargeable under the head "Salaries", the estimated total income of the assessee under this head shall, in computing the income-tax to be deducted, be reduced by an amount equal to one-fifth of such earned income, but not exceeding in any case four thousand rupees.

XI of 1922. (7) For the purposes of this section and of the rates of tax imposed thereby, the expression "total income" means total income as determined for the purposes of income-tax or super-tax, as the case may be, in accordance with the provisions of the Income-tax Act, 1922, and the expression "earned income" has the meaning assigned to it in clause (6AA) of section 2 of that Act.

V of 1948. 13. For the year beginning on the first day of April, 1951, sales tax shall be charged under the General Sales Tax Act, 1948, at the rates specified in the Fourth Schedule to this Act. Rates of sales tax payable under Act V of 1948.

LXIV of 1950. 14. (1) The Finance (Supplementary) Act, 1950 (imposing certain new taxes and duties for the purpose of meeting expenditure on the rehabilitation of refugees), shall with the omissions and modifications set out in the Fifth Schedule to this Act continue in operation after the thirty-first day of March, 1951, as if the provisions of the said Act with the aforesaid omissions and modifications were enacted in and formed part of this Act. Continuation of Act LXIV of 1950.

(2) The modifications under paragraphs (d), (e) and (f) of the aforesaid Schedule shall be deemed always to have been made in the Finance (Supplementary) Act, 1950.

(3) The rules made under the Finance (Supplementary) Act, 1950, shall, with the necessary modifications, be deemed to be rules made under the provisions of the said Act as continued and made part of this Act and subject to any omissions, additions and modifications which the Central Government or the Provincial Government may make in them shall have effect accordingly.

(4) Save as provided in sub-section (2) of this section, nothing in this section shall affect the application of the Finance (Supplementary) Act, 1950, in respect of the taxes and duties imposed thereby in relation to any period before the first day of April, 1951.

THE FIRST SCHEDULE

[Schedule to be inserted in the Post Office Act, 1898]

(See section 3)

THE FIRST SCHEDULE

INLAND POSTAGE RATES

(See SECTION 7)

LETTERS

For a weight not exceeding one tola One and a half anna.
 For every tola or fraction thereof exceeding one tola. One anna.

POST CARDS

Single Nine pies.
 Reply One and a half anna.

PATTERN AND SAMPLE PACKETS

For the first five tolas or fraction thereof .. One anna.
 For every additional two and a half tolas or fraction thereof in excess of 5 tolas. Six pies.

BOOK PACKETS

For the first five tolas or fraction thereof .. One anna.
 For every additional two and a half tolas or fraction thereof in excess of 5 tolas. Three pies.

REGISTERED NEWSPAPERS

(a) Single copies—

For a weight not exceeding ten tolas .. Quarter of an anna.
 For a weight exceeding ten tolas but not exceeding twenty tolas. Half an anna.
 For every additional twenty tolas or fraction thereof. Half an anna.

(b) Packets of registered newspapers—

For a weight not exceeding 10 tolas .. Half an anna.
 For every additional five tolas or fraction thereof in excess of 10 tolas. Quarter of an anna.

PARCELS

For a weight not exceeding forty tolas .. Eight annas.
 For every forty tolas or fraction thereof, exceeding forty tolas. Eight annas.

THE SECOND SCHEDULE

(See section 5)

Amendments to be made to the Tariff Act, 1934, First Schedule.

Against the item numbers of the First Schedule to the Tariff Act, 1934, specified in the first column of the sub-joined table, the entries in the fourth and sixth columns of the table shall be substituted for the entries in the corresponding columns of the said Schedule.

Item No.	Name of article	Nature of duty	Standard rate of duty	Preferential rate of duty	
				The United Kingdom	A British Colony
(1)	(2)	(3)	(4)	(5)	(6)
9(2)			40 per cent. <i>ad valorem.</i>		32½ per cent. <i>ad valorem.</i>
24(2)			45 per cent. <i>ad valorem</i> plus Rs. 46-14 per thousand or Rs. 18-12 per lb. whichever is higher.		
27(2)			Free.		
27(4)			Three annas, six pies per Imperial gallon.		
27(5)			Three annas, six pies per Imperial gallon.		
28(17)			Free.		
30(5)			Free.		
63(1)			Free.		
63(4)			Free.		
76(1)			Free.		

THE THIRD SCHEDULE

(See section 12)

PART I

Rates of Income-tax

A—In the case of every individual, Hindu undivided family, unregistered firm and other association of persons not being a case to which paragraph B of this Part applies—

	Rate
1. On the first Rs. 1,500 of total income ..	<i>Nil.</i>
2. On the next Rs. 3,500 of total income ..	Nine pies in the rupee.
3. On the next Rs. 5,000 of total income ..	One anna and nine pies in the rupee.
4. On the next Rs. 5,000 of total income ..	Three annas and six pies in the rupee.
5. On the next Rs. 5,000 of total income ..	Four annas and six pies in the rupee.
6. On the balance of total income ..	Five annas in the rupee.

Provided that—

(i) no income-tax shall be payable on a total income which, before deduction of the allowance, if any, for earned income, does not exceed Rs. 3,000 ;

(ii) the income-tax payable shall in no case exceed half the amount by which the total income (before deduction of the said allowance, if any, for earned income) exceeds Rs. 3,000 ;

(iii) the income-tax payable on the total income as reduced by the allowance for earned income shall not exceed either—

(a) a sum bearing to half the amount by which the total income (before deduction of the allowance for earned income) exceeds Rs. 3,000 the same proportion as such reduced total income bears to the unreduced total income ; or

(b) the income-tax payable on the income so reduced at the rates herein specified ;

whichever is less.

B—In the case of every company and local authority, and in every case in which under the provisions of the Income-tax Act, 1922, income-tax is to be charged at the maximum rate—

	Rate
On the whole of total income ..	Five annas in the rupee.

PART II

Rates of Super-tax

A—In the case of every individual, Hindu undivided family, unregistered firm and other association of persons, not being a case to which any other paragraph of this Part applies—

	Rate
1. On the first Rs. 25,000 of total income ..	<i>Nil.</i>
2. On the next Rs. 5,000 of total income ..	Two and a quarter annas in the rupee.
3. On the next Rs. 5,000 of total income ..	Two and a half annas in the rupee.
4. On the next Rs. 10,000 of total income ..	Three annas in the rupee.
5. On the next Rs. 10,000 of total income ..	Three and a half annas in the rupee.
6. On the next Rs. 15,000 of total income ..	Four annas in the rupee.
7. On the next Rs. 15,000 of total income ..	Four and a half annas in the rupee.
8. On the next Rs. 15,000 of total income ..	Five annas in the rupee.
9. On the next Rs. 50,000 of total income ..	Six annas in the rupee.
10. On the next Rs. 1,00,000 of total income ..	Six and a half annas in the rupee.
11. On the balance of total income ..	Seven and a half annas in the rupee.

B—In the case of every local authority—

	Rate
On the whole of total income ..	Two annas in the rupee.

C—In the case of an association of persons being a co-operative society for the time being registered under the Co-operative Societies Act, 1912, or under an Act of a Provincial Legislature governing the registration of co-operative societies,—

	Rate
1. On the first Rs. 25,000 of total income ..	<i>Nil.</i>
2. On the balance of total income ..	Two annas in the rupee.

D—In the case of every company—

	Rate
On the whole of total income ..	Four annas in the rupee.

Provided that—

XI of 1922. (i) a rebate at the rate of two annas per rupee of the total income shall be allowed in the case of any company which in respect of its profits liable to tax under the Income-tax Act, 1922, for the year ending on the thirty-first day of March, 1952, has made such effective arrangements as may be specified by the Central Government in this behalf for the declaration and payment in the Provinces and the Capital of the Federation of the dividends payable out of such profits and for the deduction of super-tax from such dividends ;

(ii) a rebate at the rate of one anna per rupee of the total income shall be allowed in the case of any company which, not being entitled to a rebate under the preceding clause, is—

(a) a public company the shares of which were offered for sale in a recognised stock exchange at any time during the previous year, or

(b) a company all of whose shares were held at the end of the previous year by one or more such public companies as aforesaid.

VII of 1913. *Explanation.*—For the purposes of clause (ii) of this proviso, a company shall be deemed to be a public company only if it is neither a private company within the meaning of the Companies Act, 1913, nor a company in which shares carrying more than fifty per cent. of the total voting power were, at any time during the previous year, held or controlled by less than six persons.

VII of 1913. In the case of a company formed and registered under the Companies Act, 1913, and having its registered office in any province or the Capital of the Federation, an additional super-tax shall be payable at the rate specified hereunder, in respect of that part of the total income (as reduced by the amount of dividends payable at a fixed rate) which does not exceed the amount of dividends, not being dividends payable at a fixed rate, declared in respect of the whole or part of the previous year for the assessment for the year ending on the thirty-first day of March, 1952, on the amount by which such part—

	Rate
(a) exceeds 30 per cent. but does not exceed 40 per cent. of the total income as so reduced.	Three annas in the rupee.
(b) exceeds 40 per cent. but does not exceed 50 per cent. of the total income as so reduced.	Five annas in the rupee.
(c) exceeds 50 per cent. of the total income as so reduced.	Seven annas in the rupee.

Provided that—

(i) no such additional super-tax shall be payable where such part is less than, or equal to, five per cent. on the capital of the company ;

(ii) where such part is more than five per cent. on the capital of the company, the additional super-tax payable shall be reduced by the amount of additional super-tax which would, but for the provisions of clause (i) of this proviso, have been payable had such part been equal to five per cent. on the capital of the company ;

(iii) the additional super-tax shall be payable only by a company in which the public are substantially interested within the meaning of the *Explanation* to sub-section (1) of section 23A of the Income-tax Act, 1922, or a subsidiary company of such a company where the whole of the share capital of such subsidiary company is held by the parent company or by the nominees thereof.

Explanation.—For the purposes of this paragraph—

(a) the expression “ capital of the company ” shall be deemed to mean the paid-up share capital at the beginning of the previous year for the assessment for the year ending on the thirty-first day of March, 1952 (other than the capital entitled to a dividend at a fixed rate), *plus* any reserves other than depreciation reserves and reserves for bad or doubtful debts at the same date as diminished by the amount on deposit on the same date with the Central Government under section 10 of the Indian Finance Act, 1942, or section 2 of the Excess Profits Tax Ordinance, 1943 ;

(b) the expression “ dividend ” shall be deemed to include any distribution included in that expression as defined in clause (6A) of section 2 of the Income-tax Act, 1922, and any such distribution made during the year ending on the thirty-first day of March, 1952, shall be deemed to have been made in respect of the whole or part of the previous year ;

(c) where any portion of the profits and gains of a company is not included in its total income by reason of such portion being exempt from tax under any provision of the Income-tax Act, 1922, the capital of the company, the total amount of dividends and the amount of dividends payable at a fixed rate shall each be deemed to be the proportion thereof that the total income of the company bears to its total profits and gains.

FOURTH SCHEDULE

(See section 13)

Rates of Sales Tax

PART A

Rate of tax for every rupee of the turn-over in respect of which tax is payable under the provisions of the Act. Six pies.

PART B

Additional rate applicable to the class or description of goods specified hereunder for every rupee comprised in the turn-over relating to such goods. One anna.

1. Fur skins, dressed, and articles made of fur skins ;
2. Toilet articles, preparations or cosmetics which are intended for use or application for toilet purposes or for use in connection with the care of the teeth, eyes, nails, hair or any other part of the human body, including toilet sets, toilet soaps, shaving soaps, shaving creams, perfumes, scents and similar preparations ;
3. Any pen, pencil or pen and pencil set, sold for twenty rupees or more ;
4. (a) Cinematographic, photographic and other cameras, projectors and enlargers ; lenses and other parts of and accessories to such cameras, projectors and enlargers ; and films, plates, paper and cloth required for use therewith ;
(b) Binoculars and opera glasses ;
5. All electric goods, instruments, apparatus and appliances including fans, electrical earthenware and porcelain and all other accessories except electric lighting bulbs ;
6. Refrigerators and airconditioning plants ;
7. Articles of cut glassware, crystal glassware, cut or not, etched glassware, metal decorated glassware or marble ;
8. Articles made of china or porcelain ;
9. Articles commonly or commercially known as jewellery, whether real or imitation, including diamonds and other precious or semi-precious stones for personal use or for adornment of the person ; goldsmith's and silversmith's products including all gold, silver, chromium or other plated ware ;
10. Articles of all kinds made in whole or in part of ivory, jet, amber, coral, mother of pearl, natural shells, tortoise shell, jade, onyx, lapis lazuli, or other semi-precious stones.

FIFTH SCHEDULE

(See section 14)

Omissions and Modifications in the Finance (Supplementary) Act, 1950.

OMISSIONS

Sections 2, 3, 4 and 5 shall be omitted.

MODIFICATIONS

(a) In sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 19, for the figures '1951' the figures '1952' shall be substituted.

(b) In section 8, in sub-section (2), the words after the words "preceding year" shall be omitted, and in sub-section (3) the words after the word "tax" shall be omitted.

(c) In sub-section (2) of section 9, the following shall be added, namely :—

"Any owner or charterer who fails to collect and pay tax as provided herein and the rules made under this section shall be liable to a penalty not exceeding the amount of the tax payable."

(d) The following shall be substituted for sub-sections (1) and (2) of section 14, namely :—

"(1) For the year ending on the thirty-first day of March, 1951, there shall be levied and collected from the owner of every revenue-paying estate in the Province of East Bengal and the holder of every rent-paying tenure held directly under the Provincial Government in that Province a cess at the rates specified in Schedule V of this Act.

(2) The cess shall be levied on the basis of the total land revenue or rent payable in respect of each such estate or tenure for the revenue year ending within the aforesaid financial year.

(2A) Where there are more owners or holder than one of any such estate or tenure the cess shall be levied on the basis mentioned in sub-section (2) as if the estate or tenure were owned or held by a single owner or holder, but all the co-owners or co-holders shall be jointly and severally liable for the payment of the same."

(e) In sub-section (2) of section 15, for the words "for the revenue year ending within the aforesaid financial year" the words "in respect of the harvests falling in the immediately preceding financial year" shall be substituted.

(f) Sub-section (3) of section 15 shall be omitted.

(g) The following new section shall be inserted after section 25 as section 25A, namely :—

"25A. If the person on whom the tax is levied or who is responsible for the collection and payment of any tax or toll under section 18, 19, 20, 21, 23, 24 or 25 fails to pay the tax or toll as provided in the said section and the rules made thereunder he shall be liable to a penalty not exceeding the amount of the tax or toll payable."

THE FINANCE ACT, 1951

ACT No. I OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE).]

(Received the assent of the Governor-General on the 31st March, 1951.)

An Act to give effect to the financial proposals of the Central Government for the year beginning on the first day of April, 1951.

WHEREAS it is expedient to fix the duty on certain salt, to fix maximum rates of postage under the Post Office Act, 1898, to continue, subject to certain modifications, for a further period of one year the additional duties of customs imposed by section 6 of the Indian Finance Act, 1942, and to alter the duty of customs and the duty of excise on certain articles, to continue the charge and levy of business profits tax, to make certain provisions relating to income-tax, super-tax and estate duty, to fix rates of income-tax and super-tax, to fix rates of sales tax and to continue the taxes and duties imposed for the purpose of meeting expenditure on the rehabilitation of refugees ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Finance Act, 1951. Short title
and extent.

(2) It extends to all the Provinces and the Capital of the Federation.

2. The duty on salt manufactured in, or imported by land into, the Provinces of Pakistan and the Capital of the Federation shall, for the year beginning on the 1st day of April, 1951, be at the rate of Rs. 2-8-0 per standard maund. Continuance
of duty on
salt.

3. For the year beginning on the 1st day of April, 1951, the schedule contained in the First Schedule to this Act shall be inserted in the Post Office Act, 1898, as the First Schedule to that Act. Inland
postage
rates.

VI of 1898.

For Statement of Objects and Reasons, see *Gazette of Pakistan*, 1951, Pt.V, P. 16.

Price : Annas 4.

Additional
duties of
customs.

4. (1) The additional duties of customs on certain goods chargeable with a duty of customs under the First Schedule to the Tariff Act, 1934, or under the said schedule read with any notification of the Central Government for the time being in force, imposed up to the thirty-first day of March, 1943, by section 6 of the Indian Finance Act, 1942, and continued subject to certain modifications up to the thirty-first day of March, 1951, by section 4 of the Finance Act, 1950, shall, save in respect of any items specified in the Second Schedule to this Act and subject to the provisions of sub-section (2) continue to be levied and collected, as an addition to and in the same manner as the duty chargeable as aforesaid, as provided for in the said section 6, up to the thirty-first day of March, 1952, except that the additional duties of customs to be levied and collected on goods comprised in any items of the First Schedule to the Tariff Act, 1934, enumerated in clauses (a) and (b) of this sub-section shall be the sums specified in respect of those items in the said clauses, namely :—

(a) A sum equal to one-third of the duty chargeable as aforesaid in respect of goods comprised in item 44.

(b) A sum equal to one-fifth of the duty chargeable as aforesaid in respect of goods comprised in item 28 (8).

(2) The additional duties of customs referred to in section 4 of the Finance Act, 1950, shall not be levied or collected on goods comprised in parts (a), (b) and (c) of item 30 (2) or in any part of item 30 (3) to the First Schedule to the Tariff Act, 1934.

Alteration of
duties of
customs.

5. The amendments set out in the Second Schedule to this Act shall be made in the First Schedule to the Tariff Act, 1934.

Alteration of
duty of
customs on
cigarettes.

6. Until the thirty-first day of March, 1952, the entry in the fourth column against item 24 (2) of the First Schedule to the Tariff Act, 1934, shall have effect as if the words and figures "plus Rs. 1-9-0 per thousand" were added to it.

Additional
duty of
excise on
motor spirit.

7. Until the thirty-first day of March, 1952, the entry in the third column against item 4 of the First Schedule to the Central Excises and Salt Act, 1944, shall have effect as if the following entry were substituted therefor :

"one rupee, four annas and three pies per Imperial gallon."

THE PAKISTAN CITIZENSHIP ACT, 1951

¹Act No. II of 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the 13th
April, 1951.)

An Act to provide for Pakistan citizenship

WHEREAS it is expedient to make provision for citizenship of Pakistan;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Pakistan Citizen-
ship Act, 1951. Short title
and com-
mencement.

(2) It shall come into force at once.

2. In this Act—

Definitions.

“alien” means a person who is not a citizen of
Pakistan or a Commonwealth citizen;

26
Geo.
5, c.2.

“Indo-Pakistan sub-continent” means India as
defined in the Government of India Act, 1935, as
originally enacted;

IX of
1875.

“minor” means, notwithstanding anything in the
Majority Act, 1875, any person who has not com-
pleted the age of twentyone years;

11 &
12
Geo.
6, c.
56.

“prescribed” means prescribed by rules made under
this Act; and

“Commonwealth citizen” means a person described
as such in the British Nationality Act, 1948.

3. At the commencement of this Act, every person
shall be deemed to be a citizen of Pakistan—

Citizenship
at the date of
commence-
ment of
this Act.

(a) who or any of whose parents or grandparents
was born in the territory now included in Pakis-
tan and who after the fourteenth day of August,
1947, has not been permanently resident in any
country outside Pakistan; or

(b) who or any of whose parents or grandparents
was born in the territories included in India on
the thirtyfirst day of March, 1937, and has or had
his domicile within the meaning of Part II of the
Succession Act, 1925, as in force at the commence-
ment of this Act, in Pakistan or in the territories
now included in Pakistan; or

XXXIX
of
1925.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951,
Pt. V, pp. 45-46.

- (c) who is a person naturalised as a British subject in Pakistan; and who, if before the date of the commencement of this Act he has acquired the citizenship of any foreign State, has before that date renounced the same by depositing a declaration in writing to that effect with an authority appointed or empowered to receive it:

Provided that if any person, being at the commencement of this Act ordinarily resident in a country outside Pakistan makes to the prescribed authority a declaration in the prescribed form within one year of the commencement of this Act—

- (a) that he is not a national or citizen of that or any other country outside Pakistan, and
 (b) that on the faith of that declaration, and by reason of his own birth, or that of any of his parents or grandparents, he claims to be a citizen of Pakistan,

he may, if the authority is satisfied that he is not a national or citizen of such country as aforesaid and that he or any of his parents or grandparents was born in the territory now included in Pakistan, be granted a certificate in the prescribed form by the authority and shall thereupon be deemed under this section to be a citizen of Pakistan.

Citizenship
by birth.

4. Every person born in Pakistan after the commencement of this Act shall be a citizen of Pakistan by birth:

Provided that a person shall not be such a citizen by virtue of this section if at the time of his birth—

- (a) his father possesses such immunity from suit and legal process as is accorded to an envoy of an external sovereign power accredited in Pakistan and is not a citizen of Pakistan; or
 (b) his father is an enemy alien and the birth occurs in a place then under occupation by the enemy.

Citizenship
by descent.

5. Subject to the provisions of section 3 a person born after the commencement of this Act shall be a citizen of Pakistan by descent if his father is a citizen of Pakistan at the time of his birth:

Provided that if the father of such person is a citizen of Pakistan by descent only, that person shall not be a citizen of Pakistan by virtue of this section unless—

- (a) that person's birth having occurred in a country outside Pakistan the birth is registered at a Pakistan Consulate or Mission in that country, or where there is no Pakistan Consulate or Mission in that country at a Pakistan Consulate or Mission in the country nearest to that country; or
 (b) that person's father is, at the time of the birth, in the service of any Government in Pakistan.

6.—(1) The Central Government may, upon his obtaining a certificate of domicile under this Act, register as a citizen of Pakistan by migration any person who before the commencement of this Act migrated to the territories now included in Pakistan from any territory in the Indo-Pakistan sub-continent outside those territories, with the intention of residing permanently in those territories: Citizenship by migration.

Provided that the Central Government may, by general or special order, exempt any person or class of persons from obtaining a certificate of domicile required under this sub-section.

(2) Registration granted under the preceding sub-section shall include, besides the person himself, his wife, if any, unless his marriage with her has been dissolved, and any minor child of his dependent whether wholly or partially upon him.

7. Notwithstanding anything in sections 3, 4 and 6, a person who has after the first day of March, 1947, migrated from the territories now included in Pakistan to the territories now included in India shall not be a citizen of Pakistan under the provisions of these sections: Persons migrating from the territories of Pakistan.

Provided that nothing in this section shall apply to a person who, after having so migrated to the territories now included in India has returned to the territories now included in Pakistan under a permit for resettlement or permanent return issued by or under the authority of any law for the time being in force.

8. The Central Government may, upon application made to it in this behalf, register as a citizen of Pakistan any person who, or whose father or whose father's father, was born in the Indo-Pakistan sub-continent and who is ordinarily resident in a country outside Pakistan at the commencement of this Act, if he has, unless exempted by the Central Government in this behalf, obtained a certificate of domicile: Rights of citizenship of certain persons resident abroad.

Provided that a certificate of domicile shall not be required in the case of any such person who is out of Pakistan under the protection of a Pakistan passport, or in the case of any such person whose father or whose father's father is at the commencement of this Act residing in Pakistan or becomes, before the aforesaid application is made, a citizen of Pakistan.

9. The Central Government may, upon an application made to it in that behalf by any person who has been granted a certificate of naturalisation under the Naturalisation Act, 1926, register that person as a citizen of Pakistan by naturalisation: Citizenship by naturalisation.

VII of
1926.

Provided that the Central Government may register any person as a citizen of Pakistan without his having obtained a certificate of naturalisation as aforesaid.

Married
women.

10.—(1) Any woman who by reason of her marriage to a Commonwealth citizen before the first day of January, 1949, has acquired the status of a Commonwealth citizen shall, if her husband becomes a citizen of Pakistan, be a citizen of Pakistan.

(2) Subject to the provisions of sub-section (1) and sub-section (4) a woman who has been married to a citizen of Pakistan or to a person who but for his death would have been a citizen of Pakistan under section 3, 4 or 5 shall be entitled, on making application therefor to the Central Government in the prescribed manner and, if she is an alien, on obtaining a certificate of domicile and taking the oath of allegiance in the form set out in the Schedule to this Act, to be registered as a citizen of Pakistan whether or not she has completed twentyone years of her age and is of full capacity.

(3) Subject as aforesaid, a woman who has been married to a person who, but for his death, could have been a citizen of Pakistan under the provisions of sub-section (1) of section 6 (whether he migrated as provided in that sub-section or is deemed under the proviso to section 7 to have so migrated) shall be entitled as provided in sub-section (2) subject further, if she is an alien, to her obtaining the certificate and taking the oath therein mentioned.

(4) A person who has ceased to be a citizen of Pakistan under section 14 or who has been deprived of citizenship of Pakistan under this Act shall not be entitled to be registered as a citizen thereof under this section but may be so registered with the previous consent of the Central Government.

Registration
of minors.

11.—(1) The Central Government may, upon application to it in this behalf made in the prescribed manner by a parent or guardian of a minor child of a citizen of Pakistan, register the child as a citizen of Pakistan.

(2) The Central Government may, in such circumstances as it thinks fit, register any minor as a citizen of Pakistan.

Citizenship
by registration
to begin
on date of
registration.

12. Any person registered as a citizen of Pakistan shall be such a citizen from the date of his registration.

Citizenship
by incorporation
of territory.

13. If any territory becomes a part of Pakistan the Governor-General may, by order, specify the persons who shall be citizens of Pakistan by reason of their connection with that territory; and those persons shall be citizens of Pakistan from such date and upon such conditions, if any, as may be specified in the order.

Dual citizenship or

14.—(1) Subject to the provisions of this section if any person is a citizen of Pakistan under the provisions of

this Act, and is at the same time a citizen or national of any other country, he shall, unless within one year of the commencement of this Act or within six months of attaining twentyone years of his age, whichever is later, he makes a declaration according to the laws of that other country renouncing his status as citizen or national thereof, cease to be a citizen of Pakistan.

nationality
not permit-
ted.

(2) Nothing in this section shall apply to any person who is a subject of an acceding State so far as concerns his being a subject of that State.

15. Every person becoming a citizen of Pakistan under this Act shall have the status of a Commonwealth citizen.

Persons be-
coming citi-
zens to have
the status of
Common-
wealth citi-
zens.

16.—(1) A citizen of Pakistan shall cease to be a citizen of Pakistan if he is deprived of that citizenship by an order under the next following sub-sections.

Deprivation
of citizen-
ship.

(2) Subject to the provisions of this section the Central Government may by order deprive any such citizen of his citizenship if it is satisfied that he obtained his certificate of domicile or certificate of naturalisation by means of fraud, false representation or the concealment of any material fact, or if his certificate of naturalisation is revoked.

(3) Subject to the provisions of this section the Central Government may by order deprive any person who is a citizen of Pakistan by naturalisation of his citizenship of Pakistan if it is satisfied that that citizen—

- (a) has shown himself by any act or speech to be disloyal or disaffected to the Constitution of Pakistan; or
- (b) has, during a war in which Pakistan is or has been engaged, unlawfully traded or communicated with the enemy or engaged in or associated with any business that was to his knowledge carried on in such a manner as to assist the enemy in that war; or
- (c) has within five years of being naturalised been sentenced in any country to imprisonment for a term of not less than twelve months.

(4) The Central Government may on an application being made or on its own motion by order deprive any citizen of Pakistan of his citizenship if it is satisfied that he has been ordinarily resident in a country outside Pakistan for a continuous period of seven years and during that period has neither—

- (i) been at any time in the service of any Government in Pakistan or of an international organisation of which Pakistan has, at any time during that period been a member; nor

- (ii) registered annually in the prescribed manner at a Pakistan Consulate or Mission or in a country where there is no Pakistan Consulate or Mission at a Pakistan Consulate or Mission in a country nearest to the country of his residence his intention to retain Pakistan Citizenship.

(5) The Central Government shall not make an order depriving a person of citizenship under this section unless it is satisfied that it is in the public interest that that person should not continue to be a citizen of Pakistan.

(6) Before making an order under this section the Central Government shall give the person against whom it is proposed to make the order notice in writing informing him of the grounds on which it is proposed to make the order and calling upon him to show cause why it should not be made.

(7) If it is proposed to make the order on any of the grounds specified in sub-sections (2) and (3) of this section and the person against whom it is proposed to make the order applies in the prescribed manner for an inquiry, the Central Government shall, and in any other case may, refer the case to a committee of inquiry consisting of a chairman, being a person possessing judicial experience, appointed by the Central Government and of such other members appointed by the Central Government as it thinks proper.

Certificate of domicile.

17. The Central Government may upon an application being made to it in the prescribed manner containing the prescribed particulars grant a certificate of domicile to any person in respect of whom it is satisfied that he has ordinarily resided in Pakistan for a period of not less than one year immediately before the making of the application, and has acquired a domicile therein.

Delegation of powers

18. The Central Government may, by order notified in the official Gazette, direct that any power conferred upon it or duty imposed on it by this Act shall, in such circumstances, and under such conditions, if any, as may be specified in the direction, be exercised or discharged by such authority or officer as may be specified.

Cases of doubt as to citizenship.

19.—(1) Where a person with respect to whose citizenship a doubt exists, whether on a question of law or fact, makes application in that behalf to the Central Government, the Central Government may grant him a certificate that at the date of the certificate he is a citizen of Pakistan.

(2) The certificate, unless it is proved to have been obtained by fraud, false representation or concealment of any material fact, shall be conclusive evidence of the fact recorded in it.

20. The Central Government may upon such terms and conditions as it may by general or special order specify register a citizen of a Commonwealth country as a citizen of Pakistan.

Acquisition
of Pakistan
citizenship
by citizens
of Common-
wealth coun-
tries.

XLV
of
1860.

21. Any person who in order to obtain or prevent the doing of anything under the Act makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, shall be deemed to have committed an offence punishable under section 177 of the Pakistan Penal Code.

Penalties.

22.—(1) For the purposes of this Act a person born abroad a registered ship or aircraft, or abroad an unregistered ship or aircraft of the Government of any country shall be deemed to have been born in the place in which the ship or aircraft was registered or as the case may be in that country.

Interpreta-
tion.

(2) Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall, in relation to a person born after the death of his father be construed as a reference to the status or description of the father at the time of the father's death; and where that death occurred before, and the birth occurs after the commencement of this Act, the status or description which would have been applicable to the father had he died after the commencement of this Act shall be deemed to be the status or description applicable to him at the time of his death.

23.—(1) The Central Government may frame rules for carrying into effect the provisions of this Act.

Rules.

(2) No rule framed under this Act shall have effect unless published in the official Gazette.

SCHEDULE

(Form of oath or affirmation)

(Section 10)

"I (name) of (address) do hereby swear (or affirm) that I will be faithful and bear true allegiance to the Constitution of Pakistan".

THE SALES TAX ACT, 1951

ACT No. III OF 1951¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE)]
(Received the assent of the Governor-General on the 20th April, 1951)

An Act to consolidate and amend the law relating to the levy of a tax on the sale or consumption of goods.

WHEREAS it is expedient to consolidate and amend the law relating to the levy of a tax on the sale or consumption of goods ;

It is hereby enacted as follows :—

CHAPTER I—PRELIMINARY

1. (1) This Act may be called the Sales Tax Act, 1951. Short title, extent and commencement.

(2) It applies to all the Provinces and the Capital of the Federation.

(3) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. In this Act, unless the context otherwise requires,— Definitions.

(1) "Appellate Assistant Commissioner" means a person exercising the powers of an Appellate Assistant Commissioner of Sales Tax under section 5 ;

(2) "Appellate Tribunal" means the Appellate Tribunal appointed under the Income-tax Act, 1922 ;

XI of 1922.

(3) "assessee" means a person by whom tax is payable under this Act ;

(4) "Commissioner" means a person exercising the powers of a Commissioner of Sales Tax under section 5 ;

(5) "duty-paid value" means the real value of the goods as determined under section 30 of the Sea Customs Act, 1878, or the tariff value as fixed in pursuance of sub-section (2) of section 2 of the Tariff Act, 1934, and in addition the amount of customs duties levied thereon and in the case of any goods chargeable with duty on a basis other than the value thereof, the real value as it would be determined under the said section 30, if the goods were in fact subject to *ad valorem* duty and in addition the amount of customs duties levied thereon as aforesaid ;

VIII of 1878.

XXXII of 1934.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, pp. 36 and 37.

- (6) "goods" means all kinds of movable property other than actionable claims, money, stocks, shares and securities ;
- (7) "Inspecting Assistant Commissioner" means a person exercising the powers of an Inspecting Assistant Commissioner of Sales Tax under section 5 ;
- (8) "licence" means a licence issued under this Act ;
- (9) "licensed manufacturer" means any manufacturer or producer licensed under this Act ;
- (10) "licensed wholesaler" means any wholesaler licensed under this Act ;
- (11) "manufacturer or producer" means a person who engages, whether exclusively or not, in the manufacture of goods, and includes a printer, publisher, lithographer or engraver, and also any person (not being an employee) who manufactures goods, whether or not the materials of which the goods are manufactured are owned by him :

Provided that where one person manufactures goods for another, wholly or in part out of materials supplied by that other, and the goods are not for the use of, but are for sale by, that other, the person supplying the materials shall be deemed to be the manufacturer, and the person who so manufactures the goods shall be deemed not to be the manufacturer.

The expression also includes—

- (i) the assignee, trustee in bankruptcy, liquidator, executor, or curator of any manufacturer or producer and, generally, any person who continues the business of a manufacturer or producer or disposes of his assets in any fiduciary capacity ;
- (ii) any person, firm or company which owns, holds, claims, or uses any patent, proprietary, sales or other right to goods being manufactured, whether by them, in their name, or for or on their behalf by others, whether such person, firm or company sells, distributes, consigns, or otherwise disposes of the goods or not ;
- (12) "partly manufactured goods" means only goods which are to be incorporated into and form a constituent or component part of an article which is subject to the tax ;
- (13) "prescribed" means prescribed by rules made under this Act ;

- (14) "quarter" means a period of three months ending on the 30th June, the 30th September, the 31st December or the 31st March in any year ;
- (15) "sale", with all its grammatical variations and cognate expressions, means every transfer of the property in goods from one person to another in the course of trade or business for cash or for deferred payment or other valuable consideration ;
- (16) "sale price" means the price before any amount payable in respect of tax is added and includes any charges for advertising, financing, servicing or any other charges of a similar nature contracted for at the time of sale whether charged separately or not ;
- (17) "Sales Tax Officer" means a person exercising the powers of a Sales Tax Officer under section 5 ;
- (18) "tax" means the tax payable under this Act ;
- (19) "wholesaler" means a person who carries on a business of selling by wholesale goods bought by him, and includes a person who carries on a business of selling to manufacturers as materials goods bought by him ;
- (20) "year" means the financial year.

CHAPTER II—CHARGE OF TAX

3. (1) There shall be levied and collected a tax on Charge
of tax.
the value of—

- (a) all goods produced or manufactured in the Provinces of Pakistan or the Capital of the Federation, payable by the manufacturer or producer ;
- (b) all goods imported into the Provinces or the Capital of the Federation, payable by the importer ;
- (c) all goods sold by a licensed wholesaler, payable by the licensed wholesaler ;
- (d) such goods or classes of goods as the Central Government may, by notification in the official Gazette, specify in this behalf which are exported from the Provinces or the Capital of the Federation, payable by the exporter.

(2) The tax shall be a tax of ten per cent. on the value of the goods as aforesaid except in the case of goods specified in the Schedule to this Act in which case it shall be such percentage as may be fixed by the Central Government by notification in the official Gazette.

(3) The value of the goods shall be—

- (i) in the case of goods falling under clause (a) of sub-section (1)—the sale price ;

- (ii) in the case of goods falling under clause (b) or clause (d) of the said sub-section—the duty-paid value ;
- (iii) in the case of goods falling under clause (c) of the said sub-section being imported goods—the duty-paid value ;
- (iv) in the case of goods falling under clause (c) of the said sub-section being goods manufactured or produced in the Provinces or the Capital of the Federation—the price for which the goods were purchased by the licensed wholesaler.

(4) The tax in respect of the goods mentioned in clauses (a) and (c) of sub-section (1) shall be payable on the occurrence of the first of the following events—

- (i) when the goods are delivered to the purchaser, or
- (ii) when the property in the goods passes to the purchaser, or
- (iii) when the goods are sent, consigned or exported to any place outside the Provinces and the Capital of the Federation, and for the purposes of this clause the goods shall be deemed to have been sold when they are sent, consigned or exported to any such place as aforesaid.

(5) The tax in respect of the goods mentioned in clauses (b) and (d) of sub-section (1) shall be paid on importation or exportation, as the case may be, as provided hereunder—

- (i) where the goods on importation are directly cleared for home consumption—before the order for such clearance is made by the Customs Officer ;
- (ii) where the goods on importation are taken out of bond for home consumption—before the goods are removed from the warehouse ;
- (iii) where the goods are exported by sea—before the shipping bill is passed by the Customs Collector ;
- (iv) where the goods are imported or exported by land—before the permit for the passage of the goods out of or into foreign territory is issued,

and the provisions of the Sea Customs Act, 1878, and of the Land Customs Act, 1924, relating respectively to the clearance, shipping and removal of goods and the passage of goods out of or into foreign territory shall, so far as may be apply to the payment of the tax under this Act as they apply for the purposes of those Acts,

VIII of 1878
XIX of 1924.

(6) Where goods are produced or manufactured in the Provinces or the Capital of the Federation under such circumstances or conditions as render it difficult to determine the value thereof for the tax because—

Determin-
ation of
value for
tax in
certain
circum-
stances.

- (a) a lease of such goods or the right of using the same but not the right of property therein is sold or given ; or
- (b) such goods having a royalty imposed thereon, the royalty is uncertain, or is not from other causes a reliable means of estimating the value of the goods ; or
- (c) such goods are manufactured by contract for labour only and not including the value of the goods that enter into the same, or under any other unusual or peculiar manner or conditions ; or
- (d) such goods are for use by the manufacturer or producer and not for sale ;

the Sales Tax Officer may determine the value for the tax under this Act and all such transactions shall, for the purposes of this Act, be regarded as sales.

(7) If any person other than the manufacturer or producer or importer or licensed wholesaler or exporter hereinbefore mentioned acquires from or against any one of these persons the right to sell any goods, whether as a result of the operation of law or of any transaction not taxable under the next succeeding section, the sale of such goods by him shall be taxable as if made by the manufacturer or producer or importer or licensed wholesaler or exporter, as the case may be, and the person so selling shall be liable to pay the tax.

4. Notwithstanding anything contained in section 3, the tax shall not be payable on—

Tax not
payable on
certain
transactions

- (a) goods sold by a licensed manufacturer to another licensed manufacturer if the goods are partly manufactured goods ; or
- (b) goods imported by a licensed manufacturer if the goods are partly manufactured goods ;
or
- (c) goods imported by a licensed wholesaler ; or
- (d) goods sold by a licensed manufacturer to a licensed wholesaler ; or
- (e) goods sold by a licensed wholesaler to a licensed manufacturer if the goods are partly manufactured goods ; or
- (f) goods sold by a licensed wholesaler to another licensed wholesaler :

Provided that if a licensed wholesaler sells goods to

another licensed wholesaler at a price less than the value upon which the tax would be computed under clause (iii) or clause (iv) of sub-section (3) of section 3, the vendor shall forthwith become liable to pay the tax upon the difference between such value and his sale price.

CHAPTER III—TAX AUTHORITIES

5. (1) Every Commissioner of Income-tax, Appellate Assistant Commissioner of Income-tax, Inspecting Assistant Commissioner of Income-tax and Income-tax Officer shall exercise the powers of a Commissioner of Sales Tax, Appellate Assistant Commissioner of Sales Tax, Inspecting Assistant Commissioner of Sales Tax and Sales Tax Officer, respectively, under this Act and in relation to the same area and cases as he exercises under the Income-tax Act, 1922.

XI of 1922.

(2) Notwithstanding anything contained in sub-section (1), the Central Government may appoint any person by name or by virtue of office to exercise the powers of a Commissioner of Sales Tax, Appellate Assistant Commissioner of Sales Tax, Inspecting Assistant Commissioner of Sales Tax or Sales Tax Officer in respect of any area or in respect of any case or class of cases and a person so appointed shall have concurrent jurisdiction with the authority mentioned in sub-section (1) or exclusive jurisdiction as the Central Government may direct.

(3) All officers and persons employed in the execution of this Act shall observe and follow the orders, instructions and directions of the Central Government :

Provided that no such orders, instructions or directions shall be given so as to interfere with the discretion of the Appellate Assistant Commissioner of Sales Tax in the exercise of his functions.

6. (1) The Appellate Tribunal appointed under the Income-tax Act, 1922, shall discharge the functions assigned to the Appellate Tribunal under this Act.

XI of 1922.

(2) Subject to the provisions of this Act and the rules made thereunder, the Appellate Tribunal shall have power to regulate its own procedure in all matters arising out of the discharge of its functions.

CHAPTER IV—EXEMPTIONS

7. (1) The Central Government may, by notification in the official Gazette, exempt any goods or class of goods from the tax payable under this Act, and may also, by notification as aforesaid, make a reduction in the rate of tax leviable in respect of any goods or class of goods.

(2) Any exemption notified under sub-section (1) may be made subject to such conditions as may be specified in the notification.

CHAPTER V—LICENCES

8. (1) Every manufacturer or producer shall take out an annual licence, in such form and subject to such conditions as the Central Government may prescribe, for which the fee payable shall be rupees five. Manufacturers' Licences.

(2) The Central Government may grant any class of manufacturer or producer exemption from the payment of the tax on goods manufactured or produced by him and no person who is a member of a class so exempted shall be given a licence.

(3) Any exemption granted under sub-section (2) may be withdrawn by the Central Government at any time, and upon its withdrawal the provisions of sub-section (1) shall apply to all members of the class in respect of which the exemption has been withdrawn.

9. (1) A *bona fide* wholesaler may, at the discretion of the Central Government, be granted an annual licence in such form and subject to such conditions as the Central Government may prescribe, and for such licence the fee payable shall be rupees five. Wholesalers' Licences.

(2) The wholesaler applying for such licence shall give security that he (the said wholesaler) and any person who acquires from or against him the right to sell any goods, whether as a result of the operation of law or of any transaction not taxable under this Act, shall keep adequate books of account for the purposes of this Act, and shall render true returns of sales as required by this Act, or any rules made thereunder, and pay any tax imposed by this Act in respect of such sales.

(3) Such security shall be of an amount not exceeding twenty-five thousand rupees and not less than two thousand rupees and shall be in cash, Government securities or such other form as the Central Government may prescribe.

(4) The licence of any wholesaler who contravenes any of the conditions of his licence or any requirement of this Act or the rules thereunder shall be cancelled forthwith.

(5) Upon the cancellation of the licence as aforesaid, or if the said licence is cancelled at the request of the licensee, or if any such licence expires and is not renewed by the licensee, the tax imposed by section 3 shall be forthwith payable in respect of all goods then in the possession of the said licensee, on which by virtue of the said licence tax has not been paid; the tax shall be paid at the rate in force when the said licence is cancelled or expires or is not renewed and shall be computed in accordance with the provisions of clauses (iii) and (iv) of sub-section (3) of section 3.

CHAPTER VI—ASSESSMENT

Assessment.

10. (1) Every manufacturer or producer and every licensed wholesaler shall, within thirty days of the end of the quarter, send to the Sales Tax Officer a return in the prescribed form and in the prescribed manner relating to the sales made in each quarter.

(2) If the Sales Tax Officer is satisfied that the return sent under sub-section (1) is correct and complete, he shall make an assessment on the basis thereof and determine the amount of tax payable after giving credit for the tax paid in pursuance of the provisions of sub-section (1) of section 12.

(3) If the Sales Tax Officer is not so satisfied, he may, after obtaining such further particulars and such books of account and documents as he may require, determine the tax payable.

(4) If no return has been sent, the Sales Tax Officer shall make an assessment to the best of his judgment after giving the assessee an opportunity of being heard.

(5) Nothing contained in this section shall prevent a Sales Tax Officer from determining in a single assessment the tax payable in respect of the sales made in two, three or four quarters of the same year.

(6) Nothing contained in this section shall apply to a manufacturer or producer who is exempted from the payment of tax under sub-section (2) of section 8.

Power to determine fair price.

11. Where goods subject to tax under this Act are sold at a price which in the judgment of the Sales Tax Officer is less than the fair price on which the tax should be imposed, the Sales Tax Officer shall determine the fair price.

CHAPTER VII—PAYMENT AND RECOVERY OF TAX

Payment of tax.

12. (1) Every person liable to pay tax under clause (a) or clause (c) of sub-section (1) of section 3 shall, in such manner as may be prescribed, pay the tax within thirty days of the end of the month in which the goods in respect of which the tax is payable were sold.

(2) When any tax or penalty is payable in consequence of any order passed under or in pursuance of this Act, the Sales Tax Officer shall serve upon the assessee a notice of demand in the prescribed form specifying the sum payable.

(3) Any sum payable in accordance with sub-section (2) shall be paid within the time and in the manner specified in the notice of demand.

(3A) The Sales Tax Officer shall have power to extend the time as provided in sub-section (3) on application made in that behalf.

(4) In default of payment as provided in sub-section (1) or sub-section (3) or sub-section (3A), the Sales Tax Officer may impose a penalty not exceeding the amount of tax due.

13. (1) The Sales Tax Officer may forward to the Collector a certificate under his signature specifying the amount of arrears due from an assessee, and the Collector, on receipt of such certificate, shall proceed to recover from such assessee the amount specified therein as if it were an arrear of land revenue : Recovery of tax.

Provided that without prejudice to any other powers of the Collector in this behalf, he shall for the purpose of recovering the said amount have the powers which under the Code of Civil Procedure, 1908, a civil court has for the purpose of the recovery of an amount due under a decree.

V of 1908.

(2) In any area with respect to which the Commissioner has directed that any arrears under this Act may be recovered by any process provided for the recovery of an arrear of any municipal tax or local rate imposed under any law for the time being in force in any part of the Province, the Sales Tax Officer may proceed to recover the amount due by such process.

(3) The Commissioner may direct by what authority any powers or duties incident under any such law as aforesaid to any process for the recovery of a municipal tax or local rate shall be exercised or performed when recovery by that process is directed under sub-section (2).

CHAPTER VIII—APPEALS

14. (1) Any assessee objecting to an assessment made or a penalty imposed on him may, within thirty days of the date on which he was served with notice of the assessment or penalty, appeal to the Appellate Assistant Commissioner : Appeal to Appellate Assistant Commissioner.

Provided that no appeal shall be entertained under this sub-section unless it is accompanied by proof to the satisfaction of the Appellate Assistant Commissioner of the payment of tax admitted by the appellant to be due :

Provided further that an appeal may be admitted after the period of limitation specified in this sub-section if the appellant satisfies the Appellate Assistant Commissioner that he had sufficient cause for not preferring the appeal within that period.

(2) The appeal shall be in the prescribed form.

(3) The Appellate Assistant Commissioner may, after giving the appellant a reasonable opportunity of being heard, pass such orders on the appeal as he may think fit.

15. (1) Any assessee objecting to an order passed by the Appellate Assistant Commissioner may appeal to the Appellate Tribunal within sixty days of the date on which such order is communicated to him. Appeal to Appellate Tribunal.

(2) The Commissioner may, if he objects to an order passed by the Appellate Assistant Commissioner, direct the Sales Tax Officer to appeal to the Appellate Tribunal against such order, and such appeal may be made within sixty days of the date on which the order is communicated to the Commissioner by the Appellate Assistant Commissioner.

(3) The Appellate Tribunal may admit an appeal preferred after the period of limitation specified in sub-sections (1) and (2) if it is satisfied that there was sufficient cause for not presenting it within that period.

(4) The appeal shall be in the prescribed form and shall, except in the case of an appeal referred to in sub-section (2), be accompanied by a fee of one hundred rupees.

(5) The Appellate Tribunal, after giving both parties to the appeal an opportunity of being heard, may pass such orders on the appeal as it thinks fit.

(6) The Appellate Tribunal shall communicate its order on the appeal to the assessee and to the Commissioner.

(7) Save as provided in section 17 the order passed by the Appellate Tribunal on appeal shall be final.

CHAPTER IX—REVISION

Revision.

16. (1) The Commissioner may of his own motion call for the record of any proceeding under this Act in which an order has been passed by a Sales Tax Officer or an Appellate Assistant Commissioner or an Inspecting Assistant Commissioner and may make such inquiry or cause such inquiry to be made and, subject to the provisions of this Act, may pass such revisional order thereon, not being an order prejudicial to the assessee, as he thinks fit :

Provided that the Commissioner shall not revise any order under this sub-section if—

- (a) where an appeal against the order lies to the Appellate Assistant Commissioner or to the Appellate Tribunal, the time within which such appeal may be made has not expired, or
- (b) the order is pending on an appeal before the Appellate Assistant Commissioner or has been made the subject of an appeal to the Appellate Tribunal, or
- (c) the order has been made more than one year previously.

(2) The Commissioner may, on application made by an assessee for revision of an order under this Act passed by a Sales Tax Officer or an Appellate Assistant Commissioner or an Inspecting Assistant Commissioner within one year of the date of that order, call for the

record of the proceeding in which the order was passed and make such inquiry or cause such inquiry to be made, and, subject to the provisions of the Act, may pass such revisional order thereon, not being an order prejudicial to the assessee, as he thinks fit :

Provided that the Commissioner shall not revise any order under this sub-section if—

- (a) where an appeal against the order lies to the Appellate Assistant Commissioner or to the Appellate Tribunal but has not been made, the time within which such appeal may be made has not expired, or, in the case of an appeal to the Appellate Tribunal, the assessee has not waived his right of appeal, or
- (b) the order is pending on an appeal before the Appellate Assistant Commissioner or has been made the subject of an appeal to the Appellate Tribunal :

Provided further that an order by the Commissioner declining to interfere shall be deemed not to be an order prejudicial to the assessee.

(6) Every application by an assessee under sub-section (2) shall be accompanied by a fee of twenty-five rupees.

CHAPTER X—REFERENCE TO HIGH COURT

17. (1) Within sixty days of the date on which he is served with notice of an order under sub-section (6) of section 15 the assessee or the Commissioner may, by application in the prescribed form, accompanied where application is made by the assessee by a fee of one hundred rupees, require the Appellate Tribunal to refer to the High Court any question of law arising out of such order, and the Appellate Tribunal shall within ninety days of the receipt of such application draw up a statement of the case and refer it to the High Court :

Reference to
High Court.

Provided that if, in the exercise of its power under sub-section (2), the Appellate Tribunal refuses to state a case which it has been required by the assessee to state, the assessee may, within thirty days of the date on which he receives notice of the refusal, withdraw his application and, if he does so, the fee paid shall be refunded.

(2) If on any application being made under sub-section (1) the Appellate Tribunal refuses to state the case on the ground that no question of law arises, the assessee or the Commissioner, as the case may be, may within six months from the date on which he is served with notice of the refusal, apply to the High Court, and the High Court may, if it is not satisfied of the correctness of the decision of the Appellate Tribunal, require the Appellate Tribunal to state the case and to refer it, and on receipt of any such requisition the Appellate Tribunal shall state the case and refer it accordingly.

(3) If, on the ground that it is time-barred, the Appellate Tribunal rejects any application made under sub-section (1), the assessee or the Commissioner, as the case may be, may within two months from the date on which he is served with notice of the rejection apply to the High Court, and the High Court if it is not satisfied of the correctness of the Appellate Tribunal's decision may require the Appellate Tribunal to treat the application as made within the time allowed under sub-section (1).

(4) If the High Court is not satisfied that the statements in a case referred under this section are sufficient to enable it to determine the question raised thereby, the Court may refer the case back to the Appellate Tribunal to make such additions thereto or alterations therein as the Court may direct in that behalf.

(5) The High Court upon the hearing of any case stated shall decide the questions of law raised thereby and shall deliver its judgment thereon containing the grounds on which such decision is founded and shall send a copy of such judgment under the seal of the Court and the signature of the Registrar to the Appellate Tribunal which shall pass such orders as are necessary to dispose of the case conformably to such judgment.

(6) Where a reference is made to the High Court the cost shall be in the discretion of the Court.

(7) Notwithstanding that a reference has been made under this section to the High Court, tax shall be payable in accordance with the assessment made in the case :

Provided that, if the amount of tax is reduced as a result of such reference, the amount overpaid shall be refunded with such interest as the Commissioner may allow unless the High Court, on intimation given by the Commissioner within thirty days of the receipt of the result of such reference that he intends to ask for leave to appeal to the Federal Court, makes an order authorising the Commissioner to postpone payment of such refund until the disposal of the appeal to the Federal Court.

(8) Section 5 of the Limitation Act, 1908, shall IX of 1908. apply to an application to the High Court by an assessee under sub-section (2) or sub-section (3).

(9) For the purposes of this section "the High Court" means in relation to Baluchistan, the High Court of Judicature at Lahore.

Application
of section
66A of the
Income-tax
Act, 1922.

18. Section 66A of the Income-tax Act, 1922, shall, XI of 1922. so far as may be, apply to a case referred to the High Court under section 17 as it applies to any case referred to the High Court under the Income-tax Act, 1922.

CHAPTER XI—MAINTENANCE, PRODUCTION AND INSPECTION OF ACCOUNTS

19. (1) Every licensed manufacturer and every licensed wholesaler shall keep records and books of account in such form and containing such information as will enable the amount of tax that should have been paid to be determined. Records and books to be kept.

(2) Every person required by sub-section (1) to keep records or books of account shall, unless written permission to dispose of them is granted by the Sales Tax Officer, keep every such record or book of account and every document or voucher necessary for the verification of the information in any such record or book of account, for a period of four years from the end of the year to which the record, book of account, document or voucher relates.

(3) If a person required by sub-section (1) to keep records or books of account has not in the opinion of the Sales Tax Officer kept adequate records or books of account, the Sales Tax Officer may direct him to keep such records or books of account in such form as the Sales Tax Officer may direct.

(4) Every person required by sub-section (1) to keep records or books of account shall, at all reasonable times, make the records and books of account and every document and voucher necessary for the verification of the information contained therein, available to the Sales Tax Officer and give him every facility necessary to inspect the records, books of account and vouchers.

(5) The Sales Tax Officer may at any time by notice in writing within the period mentioned in the notice which in no case shall be less than three days require an assessee to produce before him the records and books of account or any of them or any connected document or voucher mentioned in the foregoing sub-sections for the purpose of assessment or for the purpose of verifying that tax payable under this Act has been paid.

20. When goods are sold by a licensed manufacturer or by a licensed wholesaler to a wholesaler not licensed under section 8, the purchaser shall be furnished with a written invoice of the goods sold, which invoice shall state separately the amount of the tax. Invoice on sales to wholesaler not licensed.

21. When goods are sold by a wholesaler not licensed under section 8 to a licensed manufacturer the purchaser shall be furnished with a written invoice of the goods sold, which invoice shall state separately the amount of the tax. Invoice on sales by wholesaler not licensed.

22. Where it appears to the Sales Tax Officer that there has been a violation of any of the provisions of the Act, the Sales Tax Officer may enter any office, shop, godown, vessel, vehicle, or any other place in Entry into premises and seizure of record, etc.

which a licensed manufacturer or licensed wholesaler carries on business and seize, take away and retain any record or book or other document mentioned in section 19 kept by the said licensed manufacturer or licensed wholesaler, so long as may be necessary for examination thereof or for a prosecution.

CHAPTER XII—PENALTIES

Penalties.

23. (1) The Sales Tax Officer, the Appellate Assistant Commissioner or the Appellate Tribunal may, in the course of any proceedings under this Act, if satisfied that any person—

(a) has without reasonable cause failed to furnish any return required by the provisions of this Act, or

(b) has submitted an untrue return, direct that such person shall pay by way of penalty, in the case referred to in clause (a), a sum not exceeding the amount of tax assessed on him, and in the case referred to in clause (b) a sum not exceeding one and a half times the amount of tax which would have been evaded if the return submitted by him had been accepted as correct.

(2) No prosecution for an offence against this Act shall be instituted in respect of the same facts on which a penalty has been imposed under this section.

CHAPTER XIII—OFFENCES, PROSECUTIONS AND COMPOSITIONS

Offences.

24. Any person who—

- (a) fails to submit an application for a licence as required by section 8 ;
- (b) fails to keep records and books of account and documents as required by section 19 ;
- (c) destroys, alters or mutilates records or books of account or documents kept pursuant to section 19 in order to evade payment of the proper amount of tax ;
- (d) withholds from inspection by the Sales Tax Officer of records, books of account or documents, kept pursuant to section 19 ;
- (e) prevents or obstructs the Sales Tax Officer from entry into premises or from seizing records, books or other documents, in contravention of section 22 ;
- (f) wilfully acts in contravention of any of the provisions of this Act ;

shall, on conviction by a magistrate of the first class, be liable to a fine which may extend to one thousand rupees and where the offence is a continuing one, to a further fine which may extend to fifty rupees for every day after the first during which the offence continues.

25. If a person submits a return under section 1C ^{Prosecution for filing false return.} which is false and which he either knows or believes to be false, or does not believe to be true, he shall be punishable on conviction before a magistrate of the first class with imprisonment which may extend to three years and shall also be liable to fine.

26. (1) The Inspecting Assistant Commissioner ^{Composition} may either before or after the institution of proceedings in respect of an offence under section 24 or section 25 compound any such offence.

(2) A person shall not be proceeded against for an offence under section 25 except at the instance of the Inspecting Assistant Commissioner.

CHAPTER XIV—REFUNDS

27. (1) Where partly manufactured goods are purchased by a licensed manufacturer and tax has been paid on those goods on importation or on any previous sale, a refund of the amount of the tax so paid shall be made to the licensed manufacturer. ^{Refunds.}

(2) If any person satisfies the Sales Tax Officer that the amount of tax paid by him exceeds the amount with which he is properly chargeable under this Act, he shall be entitled to a refund of such excess, and the provisions of this Act in respect of appeal and revision shall apply to an order passed by the Sales Tax Officer under this sub-section as they apply to an assessment.

(3) An application pursuant to sub-section (1) or sub-section (2) may be made in the prescribed manner within three years of the date of payment of the tax in respect of which the refund is claimed.

CHAPTER XV—TAX NOT ASSESSED AND RECTIFICATION OF MISTAKE

28. If for any reason any tax payable under this Act has escaped assessment or has not been paid in any year, the Sales Tax Officer may at any time within four years of the end of that year assess the tax payable, after issuing a notice to the assessee and making such inquiry as he considers necessary. ^{Tax not assessed.}

29. Where in any case the amount of tax paid by any person not being a licensed manufacturer or producer or a licensed wholesaler on the importation or exportation of goods is found to be less than the amount of tax payable under section 3, or where the tax so payable has not been paid, the Sales Tax Officer may within two years of the date of importation or exportation, as the case may be, and after notice to such person, make a demand for the amount of tax not paid, and the provisions of this Act relating to the payment and recovery of tax and to appeals and revision shall apply to a demand made under this section as they apply to an assessment. ^{Tax not paid on importation or exportation.}

Rectification
of mistake.

30. (1) The Commissioner, the Appellate Assistant Commissioner or the Sales Tax Officer may, at any time within four years from the date of any order passed by him, of his own motion rectify any mistake apparent on the face of the record or proceeding connected with that order and shall within the like period rectify any such mistake which has been brought to his notice by an assessee :

Provided that no such rectification shall be made so as to enhance an assessment or reduce a refund unless notice accordingly has been given to the assessee and he has been given a reasonable opportunity of being heard.

(2) The provisions of sub-section (1) apply also in like manner to the rectification of mistakes by the Appellate Tribunal.

(3) Where any rectification under this section has the effect of reducing an assessment, the Sales Tax Officer shall make any refund which may be due to the assessee.

(4) Where any such rectification has the effect of enhancing an assessment, or reducing a refund the Sales Tax Officer shall serve on the assessee a notice of demand as provided in sub-section (2) of section 12.

CHAPTER XVI—MISCELLANEOUS

Transfer of
ownership.

31. When the ownership of the business of a licensed manufacturer or a licensed wholesaler is transferred any tax payable in respect of such business remaining unpaid at the time of the transfer shall be payable by the transferee as if he were the licensed manufacturer or licensed wholesaler.

Appearance
by authoris-
ed represen-
tative.

32. An assessee entitled or required to appear before the Appellate Tribunal or any other authority in connection with any proceeding under this Act may in writing authorise any person qualified to represent an assessee in proceedings under the Income-tax Act, XI of 1922, to appear in his stead.

Assessment
not to be
questioned
in Criminal
courts.

33. The validity of the levy or assessment of any tax or sum under this Act or the liability of any person to pay any tax or other sum so levied or assessed shall not be questioned in any court of criminal jurisdiction in any prosecution or other proceeding whether under this Act or otherwise.

Bar of suits.

34. (1) No suit, prosecution or other proceeding shall lie against any officer or servant of the Central Government for any act done or purporting to be done under this Act without the previous sanction of the Central Government.

(2) No officer or servant of the Central Government shall be liable in respect of any such act in any civil or criminal proceeding if the act was done in good faith in the course of his duty or the discharge of functions imposed by or under this Act.

35. Nothing in this Act shall confer or be construed as conferring upon any person on whom tax has been levied or upon any authority acting in pursuance of this Act the right to question the duty-paid value of any goods.

Duty-paid value of goods not to be questioned.

36. No suit shall be instituted against the Central Government and no suit, prosecution or other proceeding shall be instituted against any officer or servant of the Central Government in respect of any act done or purporting to be done under this Act unless the suit, prosecution or other proceeding is instituted within nine months of the act complained of.

Limitation for certain suits and prosecutions.

37. In the determination of the amount of tax or refund payable under this Act, fractions of a rupee less than eight annas shall be disregarded and fractions of a rupee equal to or exceeding eight annas shall be treated as one rupee.

Tax to be calculated to the nearest rupee.

38. (1) All particulars contained in any statement made, return furnished or accounts or documents produced under the provisions of this Act, or in any record of any assessment or refund proceeding, or any proceeding relating to the recovery of a demand, shall be treated as confidential, and notwithstanding anything contained in the Evidence Act, 1872, no court shall, save as provided in this Act, be entitled to require any public servant to produce before it any such return, accounts, documents, or record or any part of such record or to give evidence before it in respect thereof.

Records to be kept confidential.

(2) if a public servant discloses any particulars contained in any such statement, return, accounts, documents, or record, he shall be punishable with imprisonment which may extend to six months, and shall also be liable to fine.

(3) Nothing in this section shall apply to the disclosure—

XIV of 1860.

- (a) of any such particulars for the purposes of a prosecution under the Pakistan Penal Code in respect of any such statement, return, accounts or documents, or for the purposes of prosecution under this Act, or
- (b) of any such particulars to any person acting in the execution of this Act where it is necessary to disclose the same to him for the purposes of this Act, or
- (c) of any such particulars occasioned by the lawful employment under this Act of any process for the service of any notice or the recovery of any demand, or
- (d) of any such particulars to a Civil court in any suit to which Government is a party, which relates to any matter arising out of any proceeding under this Act, or

- (e) of any such particulars to the Auditor General of Pakistan for the purpose of enabling him to discharge his functions under section 144 of the Government of India Act, 1935, or ^{26 Geo. 5, c. 2.}
- (f) of any such particulars to any officer appointed by the Auditor General of Pakistan to audit sales-tax receipts or refunds, or
- (g) of any such particulars, relevant to any inquiry into the conduct of an official of the Sales Tax Department, to any persons appointed Commissioners under the Public Servants (Inquiries) Act, 1850, or to an ^{XXXVII of 1850.} officer otherwise appointed to hold such inquiry, or to a Public Service Commission established under the Government of India Act, 1935, when exercising its functions in ^{26 Geo. 5, c. 2.} relation to any matter arising out of any such inquiry, or
- (h) of any such particulars, relevant to any inquiry into a charge of misconduct in connection with sales-tax proceedings against a lawyer or registered accountant, to the authority referred to in sub-section (3) of section 61 of the Income-tax Act, 1922, when ^{XI of 1922.} exercising the functions referred to in that sub-section, or
- (i) of any such particulars occasioned by the lawful exercise by a public servant of his powers under the Stamp Act, 1899, to impound an ^{II of 1899.} insufficiently stamped document, or
- (j) of such information as may be required by any officer or department of the Central or of a Provincial Government for the purpose of investigation into the conduct and affairs of any public servant.

(4) No prosecution shall be instituted under this section except with the previous sanction of the Commissioner.

Power to make rules. 39. (1) The Central Government may make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) assessment to tax in the case of a discontinued business or of a change in the ownership of a business ;
- (b) assessment to tax in the case of a business owned by a minor or other person under an incapacity ;

- (c) assessment to tax in the case of a business owned by any person whose estate or any portion of whose estate is under the control of the Court of Wards, the Administrator-General, the Official Trustee, or any receiver or manager appointed by or under any order of a court ;
- (d) generally regulating the procedure to be followed and the forms to be adopted in proceedings under this Act ; and
- (e) any other matter for which there is no provision or no sufficient provision in this Act and for which provision is, in the opinion of the Central Government, necessary in order to give effect to the purposes of this Act.

(3) The power to make rules conferred by this section shall, except on the first occasion of the exercise thereof, be subject to the condition of previous publication.

(4) Rules made under this section shall be published in the official Gazette and shall thereupon have effect as if enacted under this Act.

40. (1) Subject as hereafter provided in this section ^{Transitional} the Pakistan General Sales Tax Act, 1948, is repealed. ^{provisions.}

(2) Notwithstanding the repeal of the aforesaid Act, sales-tax shall be charged, levied and collected in accordance with section 3 of that Act, as if it had not been repealed, in respect of any goods, on which tax is not leviable under this Act, produced or manufactured in or imported into the Provinces or the Capital of the Federation on or before the date of the commencement of this Act.

(3) The said sales-tax shall be charged, levied and collected at the rates of sales-tax in force on the day preceding the date of the commencement of this Act.

(4) The provisions of the Pakistan General Sales Tax Act, 1948, shall apply in respect of such charge, levy and collection, and in respect of the charge, levy and collection of any arrears of sales-tax chargeable under that Act and unpaid at the date of the repeal of that Act.

THE SCHEDULE

[Sub-section (2) of section 3]

1. Fur skins, dressed, and articles made of fur skins.
2. Toilet articles, preparations or cosmetics which are intended for use or application for toilet purposes or for use in connection with the care of the teeth, eyes, nails, hair or any other part of the human body, including toilet sets, toilet soaps, shaving creams, perfumes, scents and similar preparations.

3. Any pen, pencil or pen and pencil set, sold for twenty rupees or more.

4. (a) Cinematographic, photographic and other cameras, projectors and enlargers ; lenses and other parts of and accessories to such cameras, projectors and enlargers ; and films, plates, paper and cloth required for use therewith.

(b) Binoculars and opera glasses.

5. All electric goods, instruments, apparatus and appliances including fans, electrical earthenware and porcelain and all other accessories.

6. Refrigerators and airconditioning plants.

7. Articles of cut glassware, crystal glassware, cut or not, etched glassware, metal decorated glassware or marble.

8. Articles made of china or porcelain.

9. The goods specified hereunder in this item not being goods produced or manufactured in the Provinces or the Capital of the Federation. Articles commonly or commercially known as jewellery, whether real or imitation, including diamonds and other precious or semi-precious stones for personal use or for adornment of the person ; goldsmith's and silversmith's products including all gold, silver, chromium or other plated ware.

10. Articles of all kinds made in whole or in part of ivory, jet, amber, coral, mother of pearl, natural shells, tortoise shell, jade, onyx, lapis lazuli, or other semi-precious stones.

11. Fabrics containing silk, gold thread or silver thread and all articles made of such fabrics.

12. Alcoholic liquors intended for human consumption.

13. *Bhang* and *ganja*.

14. Clocks and watches sold for more than rupees fifty.

THE IQBAL ACADEMY ACT, 1951.

ACT No. IV OF 1951¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE).]

(Received the assent of the Governor-General on the 20th April, 1951)

An Act to constitute an Academy for the purpose of encouraging and promoting the understanding of the works and teachings of Iqbal.

WHEREAS it is expedient to constitute an Academy for the purpose of encouraging and promoting the understanding of the works and teachings of Iqbal ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Iqbal Academy Act, 1951. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.

(a) "Academy" means the Iqbal Academy constituted by this Act ;

(b) "Council" means the Council of the Academy constituted under the provisions of this Act ;

(c) "prescribed" means prescribed by rules made by the Council.

3. There shall be constituted for the purposes of this Act an association to be called "The Iqbal Academy" which shall be a body corporate having perpetual succession and a common seal and shall by the said name sue and be sued. The Academy.

4. (1) The Academy shall consist of the following, namely :— Membership of the Academy.

(a) The Honorary Patron-in-Chief ;

(b) Honorary Patrons ;

(c) Patrons ;

(d) Life Members ;

(e) Members.

(2) Membership shall be open to such persons on such conditions and on the payment of such fees as may be prescribed.

5. The Academy shall have power—

(1) to establish branches of the Academy in Pakistan ; Powers of the Academy.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V. p. 51.

- (2) to institute scholarships and lecturerships for furthering the study of the works and teachings of Iqbal ;
- (3) to publish books, pamphlets and periodicals relating to the said study ;
- (4) to award prizes, rewards and donations to authors who, in the opinion of the Academy, have made contributions to the study of the works and teachings of Iqbal and to enter into contracts with authors in order to carry out the purposes of this Act ;
- (5) to organize lectures, talks, discussions, study groups and conferences on Iqbal and to send delegates to conferences held in foreign countries for the study of Iqbal's works and teachings, or if any matter to which that study is relevant or by which it may be advanced or profited ;
- (6) to confer in the prescribed manner Fellowships on scholars who, in the opinion of the Academy, have made contributions to the study of the works and teachings of Iqbal ;
- (7) to co-operate with or grant amalgamation or affiliation to any other association established for a purpose similar to that of the Academy whether the purpose of that association is confined to the works and teachings of Iqbal or not ;
- (8) to do all other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the Academy.

Income of
the Aca-
demy.

6. (1) The funds of the Academy shall be derived from the following sources, namely :—

- (a) grants from the Central Government and Provincial Governments, and from the Governments of Acceding and non-Acceding States ;
- (b) membership fees ;
- (c) donations whether of money or of goods, subscriptions and other gifts or payments received from organisations and individuals ; and
- (d) the sale of the Academy's publications and royalties on those publications.

(2) The funds of the Academy shall be applied towards the promotion of its purpose and objects incidental or ancillary thereto and no portion shall be invested in any business not directly connected with the purpose of the Academy :

Provided that nothing in this sub-section shall apply to the remuneration paid by the Academy to its officers, servants, members and other persons for the services rendered by them to the Academy.

6A. The headquarters of the Academy shall be located in the Federal Capital. Headquarters of the Academy.

7. (1) The affairs of the Academy shall be conducted by a Council composed as follows,— Council of the Academy.

- (a) The President of the Academy ;
- (b) The Vice-President of the Academy ;
- (c) Fifteen Members elected from among the members in the prescribed manner by members of the Academy ;
- (d) Fifteen Members nominated from among members of the Academy by the Central Government, of whom ten shall be nominated in consultation with the Governments of the Provinces and such Acceding and non-Acceding States as have made grants to the Academy ; and
- (e) The Director of the Academy, to be appointed by the Council, who shall also be the Secretary of the Council.

(2) No proceedings or decisions of the Council shall be invalid by reason of the existence of any vacancy in the Council.

(3) Until a Council is constituted in accordance with the provisions of this Act the Foundation Committee appointed by the Central Government shall act as the Council.

8. (1) Members of the Council elected under clause (c) of sub-section (1) of section 7 shall hold office for three years, subject as follows :— Term of membership and vacancies.

- (a) of the fifteen members elected at the first election, five shall retire by lot at the end of the first year and five at the end of second year ;
- (b) all elections after the first shall be to the five seats falling vacant.

(2) Members of the Council nominated under clause (d) of sub-section (1) of section 7 shall hold office for one year.

(3) In the event of a casual vacancy in the members of the Council, elected or nominated, a new member shall be elected or nominated as the case may be, to the vacancy for the unexpired term of the previous holder's office :

Provided that the vacancy shall not be filled when the term has less than three months to run from the date on which it would, but for this proviso, have been possible to make election or nomination to the vacancy.

The President.

9. The Minister for Education in the Government of Pakistan shall be *ex officio* the President of the Council and shall, when present, preside at the meetings of the Council and the Academy.

The Vice-President.

10. The Vice-President of the Council shall be elected by the Council from among its members at its first meeting each year and shall, in the absence of the President, preside at the meetings of the Council and the Academy.

Patron-in-Chief and Patrons.

11. There shall be an Honorary Patron-in-Chief and such number of Honorary Patrons of the Academy as may be prescribed who shall be elected at the Annual General Meeting of the Academy on the nomination of the Council.

Quorum.

12. Seven Members shall form a quorum for a meeting of the Council :

Provided that if a meeting is adjourned for want of a quorum, no quorum shall be necessary at the adjourned meeting.

Decisions at Meetings.

13. All decisions of the Council shall be by majority of the votes of the members present and voting and in the case of equality of votes the Chairman of the Meeting shall have a second or casting vote.

Power of the President in emergency.

14. The President of the Council may in cases of emergency act in the name and on behalf of the Council :

Provided that when he so acts he shall lay the matter before the Council for its approval at its next meeting.

Honorary Treasurer.

15. (1) There shall be an Honorary Treasurer of the Academy to be elected for one year at a time by the members of the Academy at its Annual General Meeting.

(2) The Honorary Treasurer shall be responsible for the management of the finances of the Academy and shall maintain proper accounts for submission to the Council.

Honorary Auditor.

16. The Academy shall appoint at its Annual General Meeting each year an Honorary Auditor for a period of one year.

Duties of the Director.

17. (1) The Director of the Academy shall be responsible for carrying out the decisions of the Council and for the proper administration of the Office of the Academy.

(2) He shall prepare a report for each financial year on the activities of the Academy and the Council during that year and shall submit the same to the Academy at its next Annual General Meeting after the close of that year.

18. The Annual General Meeting of the Academy shall be held within three months of the close of the financial year or at such other dates as the Council may decide. Annual General Meetings.

19. (1) No person or body of persons shall use the name of the Academy for any purpose other than that of a reference to the Academy. Prohibition on the use of name.

(2) Any person or body of persons contravening the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to six months or with fine or both.

20. The Council may make rules not inconsistent with the provisions of this Act for carrying out the purposes of this Act. Power to make rules.

THE UNIVERSITY OF KARACHI (AMENDMENT) ACT, 1951

¹Act No. V of 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE)]

(Received the assent of the Governor-General on the 20th April, 1951.)

An Act to amend the University of Karachi Act, 1950

LIX of 1950. WHEREAS it is expedient to amend the University of Karachi Act, 1950, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the University of Karachi (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

2. For sub-section (2) of section 1 of the University of Karachi Act, 1950 (hereinafter referred to as the "said Act"), the following shall be substituted, and shall be deemed to have been substituted on the 15th February, 1951, namely :— Amendment of section 1, Act LIX of 1950.

"(2) This section shall come into force at once; the remaining provisions of the Act shall come into force on such date or dates as the Central Government may, by notification in the official Gazette, appoint in this behalf. "

3. After section 35 of the said Act, the following new section shall be inserted, namely :— Insertion of new section 35-A, Act LIX of 1950.

"35A. During a period of three years from the date on which this section comes into force, admission to the University for a course of study for the Intermediate Examination may be granted to persons who have passed the Matriculation Examination of a recognised University or Board, or an examination which is recognised as equivalent thereto under the provisions of sub-section (4) of section 34. "

4. The University of Karachi (Amendment) Ordinance, 1951, is hereby repealed. Repeal of Ordinance III of 1951.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p. 52.

Price : Anna 1.

**THE PAKISTAN (ADMINISTRATION OF
EVACUEE PROPERTY) (AMENDMENT)
ACT, 1951.**

¹ACT NO. VI OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the 20th
April, 1951.)

**An Act to amend the Pakistan (Administration of Evacuee
Property) Ordinance, 1949.**

Ord. WHEREAS it is expedient to amend the Pakistan
XV of (Administration of Evacuee Property) Ordinance, 1949,
1949. for the purposes hereinafter appearing;

It is hereby enacted as follows :—

- 1.—(1) This Act may be called the Pakistan (Adminis- Short title
tration of Evacuee Property) (Amendment) Act, 1951. and com-
(2) It shall come into force at once. mencement.

2. In section 2 of the Pakistan (Administration of Evacuee Property) Ordinance, 1949 hereinafter referred Amendment
to as the Ordinance,— of section 2,
Ordinance
XV of 1949.

- (a) for clauses (2) and (3) the following shall be
substituted, namely :—

“(2) ‘evacuee’ means any person—

- (a) who, on account of the setting up of the
Dominions of Pakistan and India, or on
account of civil disturbances or the fear of
such disturbances, on or after the first day
of March, 1947, leaves or has left any place
in the territories now comprising Pakistan
for any place outside those territories; or
(b) who acquires or has acquired, on or after
the aforesaid date, by way of allotment or
lease or by means of unlawful occupation
or other illegal means, any right to, interest
in or benefit from any property which is
treated as evacuee property under any law
for the time being in force in India or in
any area occupied by India; or
(c) who is resident in any place in the terri-
tories now comprising India or in any area
occupied by India, and
(i) is unable to occupy, supervise or

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951,
Pt. V. p. 69.

manage in person his property in Pakistan, or

- (ii) whose property in Pakistan has ceased to be occupied, supervised or managed by any person or is being occupied, supervised or managed by a person (whether duly empowered in this behalf by him or otherwise) whose authority or right so to do on or after the aforesaid date has not been accepted or approved by the Custodian ; or
- (iii) in the case of a Corporation whose business or undertaking in Pakistan on account of the setting up of the Dominions of Pakistan and India, or on account of civil disturbances, or the fear of such disturbances, has ceased to function, wholly, or partially, or is being carried on by persons (whether duly empowered in this behalf by the Corporation or its management or otherwise) whose authority to do so on or after the first day of March, 1947 has not been accepted or approved by the Custodian ;

(3) 'evacuee property' means any property in which an evacuee has any right or interest (whether personally or as a trustee or a beneficiary or in any other capacity), and includes—

- (a) any right or interest in joint Hindu family property which would accrue to the evacuee upon the partition of the same ; or
- (b) property of an evacuee obtained by transfer on or after the first day of March, 1947, until the transfer is confirmed by the Custodian ; or
- (c) property belonging to any person who, after the eighteenth day of October, 1949, does or has done any of the acts specified in the next succeeding clause, or in which any such person has any right or interest, to the extent of such right or interest,

but does not include—

- (i) any ornaments or wearing apparel or any cooking vessels or other house-hold effects in the immediate possession of an evacuee, or
- (ii) any property belonging to a joint stock company the registered office of which was situated, before the fifteenth day of August, 1947, in any place in the territories now comprising India and continues to be so situated after the said date ;

(3A) 'intending evacuee' means any person who, on or after the first day of March, 1947,—

- (a) has transferred from any place in the territories now comprising Pakistan to any place in the territories now comprising India, or in any area occupied by India, his assets or any part thereof :

Provided that the transfer of any reasonable sum of money for the purpose of financing any transaction in the course of his trade or for the maintenance of any member of his family shall not be deemed to be a transfer of assets within the meaning of this sub-clause ; or

- (b) has acquired, if the acquisition has been made in person, in any mode other than a mode specified in sub-clause (b) of clause (2), or, if the acquisition has been made by or through a member of his family, in any mode whatsoever, any right to, interest in, or benefit from any property which is treated as evacuee property under any law for the time being in force in India or in any area occupied by India ; or

- (c) has, by the execution of any document of transfer in writing, whether registered or not, or by means of any other document in writing, sought to effect an exchange of the whole or any part of his property in any place in the territories now comprising Pakistan with any property situated in any place in the territories now comprising India or in any area occupied by India ;

and includes any person against whom an intention to settle in the territories now comprising India or in any area occupied by India is established from his conduct or from documentary evidence ;

(3B) 'member of his family' in relation to an intending evacuee means any person who is wholly dependent upon such evacuee for the provision of the ordinary necessities of life or who shares with such evacuee in the ordinary expenses of the household to which they jointly belong or who owns property or carries on business jointly with such evacuee ;” ;

- (b) in clause (5), the words “or a cash deposit in a bank” shall be omitted ; and

- (c) clause (9) shall be omitted.

3. In section 6 of the Ordinance,—

- (a) sub-section (2) shall be renumbered as sub-section of section 6,

Amendment
of section 6.

Ordinance
XV of 1949.

(3), and after subsection (1) the following new sub-section shall be inserted, namely :—

“(2) Where any evacuee property is property held in trust for religious or charitable purposes, the property shall remain vested in the Custodian only till such time as fresh trustees are appointed in the manner provided by law, and pending the appointment of fresh trustees the trust property and the income thereof shall be applied by the Custodian for fulfilling, as far as possible, the purposes of the trust.”; and

(b) in sub-section (3) as so renumbered, after the words “vested in” the words “or been taken possession of by”, and after the word “divested” the words “or dispossessed” shall be inserted.

Insertion of
new section
6A, Ordinance
XV of 1949.

4. After section 6 of the Ordinance, the following new section shall be inserted, namely :—

“6A. **Occupancy or tenancy right not to be extinguished.**—Where the occupancy right of an evacuee in any land or his right for a fixed term of years therein has vested in the Custodian, or where the Custodian has taken possession of such land, nothing in any other law for the time being in force shall operate to extinguish such right against the evacuee, and neither the evacuee nor the Custodian shall be or shall be liable to be ejected from such land by reason only of any default of the Custodian.

In this section ‘land’ includes houses and buildings on land.”.

Amendment
of section 7,
Ordinance
XV of 1949.

5. In sub-section (2) of section 7 of the Ordinance, for the words “sixty days from the commencement of this Ordinance” the words “such date as may be notified by the Central Government in the official Gazette” shall be substituted, and the words “upon receipt of a notice from the Custodian that the property is evacuee property” shall be omitted.

Amendment
of section 8,
Ordinance
XV of 1949.

6. In section 8 of the Ordinance, for the words “sixty days from the commencement of this Ordinance” the words “such date as may be notified by the Central Government in the official Gazette” shall be substituted.

Amendment
of section 9,
Ordinance
XV of 1949.

7. In section 9 of the Ordinance, the words, figures and brackets “as required by sub-section (2) of section 7” shall be omitted.

Amendment
of section 11,
Ordinance
XV of 1949.

8. In section 11 of the Ordinance,—

(a) in sub-section (1) for the words “to any evacuee” the words “to an evacuee” shall be substituted; and

(b) the following new sub-section shall be added at the end, namely :—

“(4) Notwithstanding anything in sub-section (1)

or sub-section (3) of this section any payment by a person who, being immediately before the first day of March 1947 a tenant of another person who on or after that day became an evacuee, has between that day and the 15th day of October 1949 paid any amount on account of rent in respect of the tenancy to that other person or to an agent authorised by him to receive such rent shall be discharged from further liability to pay to the extent of the payment made as if the payment had been made in accordance with sub-section (1).”.

9. In sub-section (1) of section 12 of the Ordinance, after the word “Court” occurring twice the words “or any other authority” shall be inserted at both places, and the following new sub-section shall be added at the end, namely :—

Amendment
of section
12, Ordinance XV
of 1949.

“(3) Nothing contained in the foregoing sub-sections shall—

- (a) prevent a registering officer from ordering registration of a deed of sale or exchange relating to evacuee immovable property, or a Civil Court from ordering specific performance of a contract of sale or exchange of any such property where the sale or exchange or the contract of the same has been duly confirmed or approved by the Custodian and the required certificate has been granted by him; or
- (b) affect any power conferred on the Central Government by or under any law for the time being in force to requisition or acquire property, and it is hereby declared that if by or under such law or any other law for the time being in force a like power is conferred upon or delegated to a Provincial Government the Provincial Government may exercise the same in relation to evacuee property with and only with the previous approval of the Central Government and subject to such directions as the Central Government may at any time see fit to give.

Clause (b) of this sub-section shall be deemed to have taken effect on the day this Ordinance came into force.”.

10. In section 16 of the Ordinance, for sub-section (1) the following shall be substituted, namely :—

Amendment
of section
16, Ordinance XV
of 1949.

- “(1) No creation or transfer of any right or interest in or encumbrance upon any property made in any manner whatsoever on or after the first day of March 1947 by or on behalf of an evacuee, or by or on behalf of a person who has or may hereafter become an evacuee after the date of such

creation or transfer, shall be effective so as to confer any right or remedy on any party thereto or on any person claiming under any such party, unless it is confirmed by the Custodian.”.

Substitution
of new
section 17,
Ordinance
XV of 1949.

11. In the Ordinance, for section 17 the following shall be substituted, namely :—

“17. **Registration of documents and mutation of names.**—(1) Where any document required to be registered under the Registration Act, 1908 (XVI of 1908), or any application for mutation of names purports to create or transfer any right or interest in any property in contravention of the provisions of section 16 or section 23A of this Ordinance, no registering officer shall register the same, and no revenue officer shall sanction any mutation of names in respect thereof, unless the party presenting the document or making the application produces a certificate from the Custodian that the property is not evacuee property or that the transaction has been confirmed or that the property is not property belonging to an intending evacuee or that the Custodian has sanctioned the transaction.

(2) If any question arises whether any document presented for registration or any application made for mutation of names purports as aforesaid, the registering officer or the revenue officer, as the case may be, shall direct the party concerned to apply to the Custodian for a certificate under sub-section (1), and shall not register the document or grant the application without such certificate.”.

Insertion of
new section
19A, Ordinance
XV of 1949.

12. After section 19 of the Ordinance the following new section shall be inserted, namely :—

“19A. **Custodian to save effect of allotment orders.**—

No order shall be made by the Custodian under the provisions of sub-section (3) of section 18 or of clause (a) of sub-section (2) of section 19 in respect of property which is subject to an allotment order under the Pakistan Rehabilitation Ordinance, 1948, to the extent that it is so subject, and before making any such order the Custodian shall first ascertain from the Rehabilitation Authority having jurisdiction whether and to what extent the property is so subject, and his order shall notwithstanding the aforesaid provisions be such as to save the full effect of any allotment order to which the property is subject.”.

Amendment
of section 20,
Ordinance
XV of 1949.

13. In sub-section (2) of section 20 of the Ordinance, for clause (g) the following clauses shall be substituted, namely :—

“(g) direct any person, notwithstanding anything contained in any other law for the time being in force relating to the disclosure of any information

by a public servant or any other person, to furnish such returns, accounts or other information in relation to any property and to produce such documents as the Custodian considers necessary for the discharge of his duties under this Ordinance;

(ga) direct any banking company to furnish such information as the Custodian may require with respect to any remittance made by any person to any place outside the territories now comprising Pakistan after the twenty-eighth day of February, 1947;

(gb) search, or authorise any other person to search, any building or place in which the Custodian has reason to believe that any evacuee property or any document tending to show that any person is an evacuee or that any property is evacuee property is being kept or concealed and take possession thereof;

(gc) where the evacuee property consists of a share or shares in a company, exercise, notwithstanding anything contained in the Companies Act, 1913 (VII of 1913), or in the articles of association of the company, such rights in the matter of making a requisition for the convening of a meeting or of presenting a petition to the Court under the provisions of the said Act or articles of association, or in any other matter, as the evacuee shareholder could have exercised if this Ordinance were not in force;".

14. In the said Ordinance, after Chapter V, the following new Chapter shall be inserted, namely:—

"CHAPTER VA

PROPERTY OF INTENDING EVACUEE

Insertion of
new Chapter
VA, Ordinance XV of
1949.

23A. Declaration of person as intending evacuee.—

- (1) Where the Custodian has reason to believe that a person is an intending evacuee, he may, after causing notice thereof to be given to such person, call upon him to show cause why he should not be declared an intending evacuee, and shall, after holding such inquiry into the matter as the circumstances of the case require, pass an order, stating the reasons therefor, declaring such person either to be an intending evacuee or otherwise.
- (2) Any declaration made under sub-section (1) shall be published in the official Gazette.
- (3) The Custodian may, pending determination of the question whether any person is an intending evacuee or not, attach or cause to be attached any property in Pakistan in which such person has any right or interest, and where any such attachment has been made, any transfer or delivery of

the property attached or of any right or interest therein and any payment to any person in contravention of such attachment shall be void as against all claims enforceable under the attachment.

23B. Consequences of declaration.—No person declared to be an intending evacuee under the last preceding section shall transfer in any manner whatsoever any immovable property in Pakistan in which he has any right or interest except with the previous sanction in writing of the Custodian, and any transfer made otherwise than with such sanction shall be null and void.

23C. Powers of Custodian generally in respect of property of intending evacuees.—For the purpose of preserving any property in which any person declared as an intending evacuee has any right or interest the Custodian may—

- (a) by order in writing, direct any such person to furnish such returns, accounts or other information in relation to any such property and to produce such documents in his possession as the Custodian may require;
- (b) inspect the books of accounts or other documents maintained by or in the possession of such person;
- (c) pass such orders or direct such action to be taken in relation to any such property as the Custodian may consider necessary;
- (d) by order in writing, prohibit the transfer to any place in India or in any area occupied by India of any sum of money belonging to any such person or subject such transfer to such conditions and restrictions as the Custodian may think fit to impose.

23D. Effect of intending evacuee contravening any provision of this Chapter.—If any person declared to be an intending evacuee makes any transfer of any property in contravention of section 23B or fails to comply with any order made under clause (c) or clause (d) of section 23C, the Custodian may, by notification in the official Gazette, declare that any property in Pakistan in which any such person has any right or interest shall be deemed to be evacuee property, and upon the publication of such notification the property specified therein shall be deemed to be evacuee property within the meaning of this Ordinance.

23E. Intending evacuee acquiring property in India or area occupied by India for inadequate consideration to make good the deficiency.—(1) Where any person declared to be an intending evacuee has, whether personally or through a member of his

family acquired, whether before or after the eighteenth day of October, 1949, any right to, interest in or benefit from any property treated as evacuee property under any law for the time being in force in India or in any area occupied by India for a consideration which, in the opinion of the Custodian, is neither reasonable nor adequate, the Custodian may, after causing notice thereof to be given to such person and affording him a reasonable opportunity of being heard and after holding such inquiry as the circumstances of the case permit, determine, by order in writing, the amount, if any, by which the consideration, in his opinion, falls short of the real value of the property so acquired, and require such person to pay the amount to the Custodian within such time as may be specified in the order.

- (2) If the amount is not paid within the time specified, or within such further time as the Custodian may allow, the Custodian may take possession of so much of the property of such intending evacuee as would be sufficient to cover the amount, in the case of movable property, or as would afford a reasonable security for the recovery of the amount, in the case of immovable property.
- (3) The Custodian may, for the purpose of realising any amount payable by such intending evacuee under the provisions of this section, dispose of, absolutely or otherwise as he may see fit any immovable property which has been taken possession of by him under sub-section (2)."

15. In sub-section (1) of section 34, after the word "Court" the words "or any other authority" shall be inserted, and for clause (a) the following shall be substituted, namely :—

Amendment
of section 34,
Ordinance
XV of 1949.

- (a) to entertain or adjudicate upon any question arising in any suit, appeal, application, or other proceedings as to whether any person is or is not an intending evacuee or whether any property is or is not evacuee property or what right or interest, if any, an evacuee has in any such property ;".

16. In sub-section (1) of section 36 of the Ordinance, for the words and figures "or section 19" the words, figures and letters "section 19 or section 23A" shall be substituted.

Amendment
of section 36,
Ordinance
XV of 1949.

17. In the Ordinance, after section 45, the following new section shall be inserted, namely :—

- "45A. Power of Central Government to take action with regard to evacuee property.—The Central Government may, for the purpose of regulating the administration of any evacuee property,

Insertion of
new section
45A, Ordinance
XV of 1949.

make such order or direct such action to be taken in relation thereto as in its opinion the circumstances of the case require and as is not inconsistent with any of the provisions of this Ordinance.”.

Amendment, 18. In section 46 of the Ordinance, in clause (g) of of section 46, sub-section (2), for the word “non-objection” the words Ordinance “no objection” shall be substituted.
XV of 1949.

THE PAKISTAN REHABILITATION (AMENDMENT)
ACT, 1951

ACT No. VII OF 1951¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE)]

(Received the assent of the Governor-General on the 20th April,
1951)

An Act further to amend the Pakistan Rehabilitation Ordinance,
1948.

XIX
of
1948. WHEREAS it is expedient further to amend the Pakistan Rehabilitation Ordinance, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Pakistan Rehabilitation (Amendment) Act, 1951. Short title
and com-
mencement.

(2) It shall come into force at once.

XIX
of
1948. 2. In section 2 of the Pakistan Rehabilitation Ordinance, 1948, hereinafter referred to as "the Ordinance"— Amendment
of section 2,
Ordinance
XIX of 1948.

(a) for clauses (3) and (4) the following clauses shall be substituted, namely :—

" (3) "evacuee" means any person—

(a) who, on account of the setting up of the Dominions of Pakistan and India, or on account of civil disturbances or the fear of such disturbances, on or after the first day of March, 1947, leaves or has left any place in the territories now comprising Pakistan for any place outside those territories ; or

(b) who acquires or has acquired, on or after the aforesaid date, by way of allotment or lease or by means of unlawful occupation or other illegal means any right to, interest in or benefit from any property which is treated as evacuee property under any law for the time being in force in India or in any area occupied by India ; or

(c) who is resident in any place in the territories now comprising India, or in any area occupied by India, and

(i) is unable to occupy, supervise or manage in person his property in Pakistan, or

(ii) whose property in Pakistan has ceased to be occupied, supervised or managed by any person or is being occupied, supervised or managed by a person (whether duly empowered in this behalf by him or otherwise) whose authority or right so to do on or after the aforesaid date has not been accepted or approved by the Custodian ; or

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p 58

- (iii) in the case of a Corporation whose business or undertaking in Pakistan on account of the setting up of the Dominions of Pakistan and India, or on account of civil disturbances, or the fear of such disturbances, has ceased to function, wholly, or partially, or is being carried on by persons (whether duly empowered in this behalf by the Corporation or its management or otherwise) whose authority to do so on or after the first day of March, 1947 has not been accepted or approved by the Custodian.
- (4) "evacuee property" means any property in which an evacuee has any right or interest (whether personally or as a trustee or a beneficiary or in any other capacity), and includes—
 - (a) any right or interest in joint Hindu family property which would accrue to the evacuee upon the partition of the same; or
 - (b) property of an evacuee obtained by transfer on or after the first day of March, 1947, until the transfer is confirmed by the Custodian; or
 - (c) property belonging to any person who, after the eighteenth day of October, 1949, does or has done any of the acts specified in the next succeeding clause, or in which any such person has any right or interest, to the extent of such right or interest, but does not include—
 - (i) any ornaments or wearing apparel or any cooking vessels or other household effects in the immediate possession of an evacuee, or
 - (ii) any property belonging to a joint stock company the registered office of which was situated before the fifteenth day of August, 1947, in any place in the territories now comprising India and continues to be so situated after the said date;
- (4A) "intending evacuee" means any person who, on or after the first day of March, 1947,—
 - (a) has transferred from any place in the territories now comprising Pakistan to any place in the territories now comprising India, or in any area occupied by India, his assets or any part thereof:

Provided that the transfer of any reasonable sum of money for the purpose of financing any transaction in the ordinary course of his trade or for the maintenance of any member of his family shall not be deemed to be a transfer of assets within the meaning of this sub-clause; or

 - (b) has acquired, if the acquisition has been made in person, in any mode other than a mode specified in sub-clause (b) of clause (2), or, if the acquisition has been made by or through a member of his family, in any mode whatsoever, any right to, interest in, or

benefit from any property which is treated as evacuee property under any law for the time being in force in India or in any area occupied by India ; or

- (c) has, by the execution of any document of transfer in writing, whether registered or not, or by means of any other document in writing, sought to effect an exchange of the whole or any part of his property in any place in the territories now comprising Pakistan with any property situated in any place in the territories now comprising India or in any area occupied by India ;

and includes any person against whom an intention to settle in the territories now comprising India or in any area occupied by India is established from his conduct or from documentary evidence.

- (4B) "member of his family" in relation to an intending evacuee means any person who is wholly dependent upon such evacuee for the provision of the ordinary necessities of life or who shares with such evacuee in the ordinary expenses of the household to which they jointly belong or who owns property or carries on business jointly with such evacuee ;"

- (b) in clause (6) the words "or a cash deposit in a bank" shall be omitted ;

- (c) at the end of clause (8) for the semicolon a full stop shall be substituted, and

- (d) clause (9) shall be omitted.

3. In the Ordinance, for sub-section (1) of section 4 the following shall be substituted, namely :—

Amendment
of section 4,
Ordinance
XIX of 1948.

- "(1) The provisions of this Ordinance and the rules made thereunder shall be in addition to and not in derogation of the provisions of the Pakistan (Administration of Evacuee Property) Ordinance, 1949 (XV of 1949), and the rules made thereunder, and shall have effect notwithstanding anything inconsistent with the Ordinance contained in any other enactment or in any instrument having effect by virtue of such enactment."

4. In section 8 of the Ordinance, in sub-section (2)—

Amendment
of section 8,
Ordinance
XIX of 1948.

- (a) in clause (a) for the words, figures and brackets "sections 7 and 9 of the Pakistan (Protection of Evacuee Property) Ordinance, 1948" the words, figures and brackets "Chapters II and III and sections 20 and 21 of the Pakistan (Protection of Evacuee Property) Ordinance, 1949" shall be substituted ;

- (b) in clause (b),—

- (i) for the words "any unauthorised person" the words "any person" shall be substituted, and

- (ii) the words "or any person" occurring after the word "undertaking" shall be omitted ;

- (c) after clause (dd) the following new clause shall be inserted, namely :—

"(ddd) confiscate, with the use of such force as may be, growing crops raised on any land by a person ejected or liable to be ejected from such land under clause (b), and recover from him as arrears of land revenue such reasonable rent for his use of the land as the Rehabilitation Authority may fix together with such penalty as that Authority may deem fit but not exceeding eight times the land revenue payable in respect of that land."

Amendment of section 12, Ordinance XIX of 1948. 5. In section 12 of the Ordinance, for the words, comma and figure "the social and economic life of the Dominion, and may invest them with all or any of the powers mentioned in section 6" the words "refugees or social and economic rehabilitation in Pakistan" shall be substituted.

Amendment of section 13, Ordinance XIX of 1948.

6. In section 13 of the Ordinance,—

(a) in clause (b) of sub-section (1) for the words "whether original or appellate" the words "not being an order passed in appeal under clause (a)" shall be substituted; and

(b) in sub-section (4), after the word "Additional" a comma and the words "Deputy or Assistant" shall be inserted;

(c) for sub-section (5), the following shall be substituted, namely:—

"(5) The Rehabilitation Commissioner or Additional, Deputy or Assistant Rehabilitation Commissioner may, after giving notice to the parties concerned, review his own order, so far as justice may require, to correct errors or supply omissions which are apparent upon the face of the record."; and

(d) the following new sub-section shall be added at the end, namely:—

"(6) An order in appeal or revision under this section may, if the Authority making the order is of opinion that the appeal or application in revision is frivolous or vexatious, award special costs against the appellant or applicant and in favour of the respondent or the other party, to the extent of one hundred rupees in the case of an order by the Rehabilitation or Additional Rehabilitation Commissioner, and to the extent of fifty rupees in the case of an order by a Deputy Rehabilitation Commissioner."

Amendment of section 13A, Ordinance XIX of 1948.

7. In section 13A of the Ordinance,—

(a) in sub-section (1) the words "to it" shall be omitted and after the words "Rehabilitation Commissioner" the words "or Rehabilitation Board" shall be inserted;

(b) for sub-section (2) the following shall be substituted, namely:—

" (2) A revision petition made in pursuance of sub-section (1) shall be disposed of by the Central Government, but the Central Government may, in order to such disposal, refer the same to such officer as it may appoint in this behalf for the purpose of hearing and reporting upon the same :

Provided that where the Central Government sees no reason to make such a reference, it may dispose of the petition summarily."

8. In section 13C of the Ordinance,—

- (a) in sub-section (1), after the word "Authority" the words "or the officer appointed under sub-section (2) of section 13A" shall be inserted ;
- (b) in sub-section (2) after the word "Authority" twice occurring, the words "or such officer as aforesaid" shall be inserted at both places.

Amendment
of section
13C, Ordinance
XIX of 1948.

9. In sub-section (1) of section 16 of the Ordinance, for the words, figures and brackets "section 14 of the Pakistan (Protection of Evacuee Property) Ordinance, 1948" the words, figures and brackets "sections 12 and 34 of the Pakistan (Administration of Evacuee Property) Ordinance, 1949" shall be substituted.

Amendment
of section 16,
Ordinance
XIX of 1948.

10. In section 19 of the Ordinance after the word "rules" a comma and the following words and commas, namely, "including rules prescribing fees to be charged under the rules, whether as court fees or otherwise," shall be inserted.

Amendment
of section 19,
Ordinance
XIX of 1948.

THE COTTON ACT, 1951

¹Act No. VIII of 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the 28th
April, 1951.)

An Act to provide for measures to safeguard international trade in cotton.

WHEREAS it is expedient to provide for measures to
safeguard international trade in cotton;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Cotton Act, 1951.

Short title,
extent and
commence-
ment.

(2) It extends to all the Provinces and the Capital of
the Federation.

(3) It shall come into force in such areas at such time
and to such extent as the Central Government may by
notification in the official Gazette direct.

2. In this Act—

Definitions.

(a) "contract" means any contract recognised by the
bye-laws of the Karachi Cotton Association,
Limited, or the Pakistan Cotton Association,
Limited, and includes a factory selection contract;

(b) "cotton" means unginned cotton (*kapas*) or
ginned cotton (*rui*) or pressed and baled cotton
but does not include wool cotton or silk cotton;

(c) "factory" means a place wherein steam, water or
other mechanical power or electric power is used
and where—

(i) cotton is ginned or where cotton fibre is
separated from cotton seed, or

(ii) cotton is pressed into bales;

(d) "factory selection contract" means a contract for
the sale of cotton entered into in Pakistan and
providing for selection by the buyer at the factory
and for delivery of the cotton selected in full
pressed bales at Karachi within the period and at
the price specified in the contract;

(e) "occupier" means an occupier of a factory as
owner, allottee, lessee or manager.

3.—(1) The Central Government may, by notified order,
fix a minimum price or prices below which cotton shall
not be bought or sold, and may fix different prices for
different areas.

Fixation of
price.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, dated
the 6th April, 1951, Pt. V, p. 75.

(2) Any person buying or selling cotton at a price below the minimum price so fixed in respect of that cotton shall be liable to the punishment provided in this Act for the contravention of an order and the cotton concerned in the transaction may be confiscated to the Central Government by an order of the Court which tries the case.

Cotton
Board.

4. The Central Government may establish a Cotton Board to supervise and regulate all dealings in cotton and the storage of cotton, and all matters relating and incidental thereto including transport, insurance and export; to buy, sell and deal in cotton; and generally to take such action as may be necessary to carry the purposes of this Act into effect; and the Board shall have all such powers as the Central Government may by a notified order prescribe, and shall in all matters be subject to the control of the Central Government.

Ginning and
pressing
charges.

5. The Central Government may, by a notified order, regulate the charges to be made for the ginning and pressing of cotton, and such order may regulate such charges uniformly in respect of all areas and factories or differentially in respect of particular areas or factories.

Requisition
of factories,
etc.

6.—(1) The Central Government may, by a general or special order, requisition any factory or any place, whether open or enclosed, and use the same for ginning, pressing or storing cotton and for purposes incidental to the purposes of this Act, whether such cotton has been purchased by or on behalf of the Central Government or not.

(2) If any such factory or place is requisitioned under this section there shall be paid as compensation such rent at such intervals as the Central Government may fix from time to time.

Proprietors,
etc., of
ginning
factories to
buy cotton
offered for
sale.

7.—(1) Where cotton is offered for sale to the occupier of a ginning factory, he shall buy the same and pay a price for it not less than the minimum price fixed for such cotton under section 3 or under any other law for the time being in force.

(2) If he fails to buy the cotton so offered to him or buys it at a price below the minimum price referred to in subsection (1), then without prejudice to any punishment which may be imposed on him for having contravened a provision of this Act the Central Government may order that the factory of which he is the occupier shall be confiscated to the Government and worked thereafter in such manner as it may see fit to direct.

(3) He shall be at liberty after having bought the said cotton, to sell the same to any person or, at his option, to the Central Government in accordance with the terms of an agreement to be entered into between him and the Government.

(4) If, after having entered into such an agreement, he contravenes or fails to comply with any provision of the

same he shall, without prejudice to any other action which the Government may take against him under this Act or under any other law for the time being in force, be deemed to have contravened a provision of this Act and shall be punishable accordingly.

8.—(1) The Central Government may buy cotton ^{Purchase of} tendered by any occupier and make payment therefor at ^{cotton.} a price to be fixed by it by a notified order.

(2) If, in the opinion of the Central Government, it is expedient or necessary so to do for the purpose of securing the fulfilment of any contract, on which a seller has defaulted or on which it has reason to believe that he intends to default, it may, by an order in writing, buy cotton and appropriate it to the contract and direct that the cost be recovered from the defaulter as an arrear of land revenue or in any other manner that may be specified in the order. In this sub-section "seller" includes any person who undertakes to obtain for or supply to any person or to the Government any cotton.

9.—(1) The Central Government may, at any time, by an order in writing, direct such person or class of persons as may be specified in the order to furnish such particulars relating to the fulfilment of contracts in such manner and to such person as may be specified in the order. ^{Power to call for information.}

(2) The Central Government may, by order in writing, require any person to furnish to it or to any person specified in the order any information, book or other document in his possession being such information, book or document as the Central Government considers it necessary or expedient to obtain and examine for the purposes of this Act.

(3) If, on a representation in writing made by a person authorised in this behalf by the Central Government, a District Magistrate, Sub-Divisional Magistrate, or Magistrate of the First Class has reason to believe that a contravention of any of the provisions of this Act has been, or is being or is about to be committed in any place, he may by warrant authorise any police officer not below the rank of Sub-Inspector—

- (a) to enter and search any place in the manner specified in the warrant; and
- (b) to seize any books or other documents found in or on such place which should have been produced in compliance with a requisition issued under sub-section (2) or which the police officer has reason to believe to contain the information required to be furnished under that sub-section.

In this sub-section, "place" includes a house, building, tent, vehicle, vessel or aircraft.

10. The Central Government may by general or special ^{Registration} order in writing require any contract to be registered in ^{of contracts.} such manner as may be specified in the order and may

direct that any cotton to which the contract relates shall be stored, ginned, pressed or transported only at such places or by such routes or to such destinations as may be specified in the direction.

Purchase,
sale or ac-
ceptance of
cotton, etc.

11. The Central Government may, by an order in writing, regulate or prohibit the purchase, sale or acceptance of cotton and all dealings in railway receipts for cotton, including the grant thereof, and may by a like order regulate, prohibit, modify or cancel any contract or class of contracts.

Delegation
of powers.

12. The Central Government may, by a notified order, direct that any power conferred upon it by or under this Act shall, in relation to such matters and subject to such conditions, if any, as may be specified in the Order, be exercisable by—

- (i) the Cotton Board, or
- (ii) such officer or authority subordinate to the Central Government, or
- (iii) such Provincial Government or such officer or authority subordinate to a Provincial Government, as may be specified in the direction.

Power to
give direc-
tions to Pro-
vinces, etc.

13.—(1) The Central Government may give direction to any Provincial Government as to the carrying into execution in the Province of any order made under this Act.

(2) The Central Government may give directions to Associations of cotton traders to carry into effect any order made under this Act.

Effect of
orders in-
consistent
with other
enactments.

14. Any order made under this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or any instrument having effect by virtue of any enactment other than this Act.

Penalty, etc.

15.—(1) Any person who contravenes or fails to comply with an order made or a direction given under this Act shall be punishable as if he had contravened a provision of this Act.

(2) Any person who contravenes any provision of this Act shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

(3) Where any person as aforesaid is company or other body corporate, every member, director, manager, secretary or other officer and every agent and servant thereof shall be punishable as if he had contravened a provision of this Act.

(4) No person shall be prosecuted under this Act unless he has been given an opportunity by the Central Government to show cause, within such time as the Central Government may specify, why he should not be prosecuted, and if it is made to appear to the satisfaction of the Central Government at any time before the institution of

the prosecution that he has used due diligence to enforce the observance of the provisions of this Act and that the offence has been committed without his knowledge or against his consent the Central Government may forbear further proceedings against him :

Provided that nothing in this sub-section shall prevent the Central Government from proceeding against him further if it sees reason to do so, in which case he shall not be prosecuted unless he has been given a further opportunity as aforesaid.

16. Any person who attempts to contravene, or abets a contravention of, any provision of this Act or any order made or direction given thereunder shall be deemed to have contravened that provision, order or direction. Attempts
and abet-
ments.

17. If any person—

- (i) when required by an order under this Act to make any statement or furnish any information, makes any statement or furnishes any information which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true, or
- (ii) makes any such statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain or furnish,

False state-
ment.

he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

18. No court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by a person who is a public servant as defined in section 21 of the Pakistan Penal Code. Cognizance
of offences.

XLV
of
1860.

19. Any magistrate or bench of magistrates empowered for the time being to try in a summary way the offences specified in sub-section (1) of section 260 of the Code of Criminal Procedure, 1898, may, on application in this behalf being made by the prosecution, try in accordance with the provisions contained in sections 260 to 265 of the said Code any offence punishable under this Act. Power to try
offences
summarily.

V of
1898.

20. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any Magistrate of the First Class specially empowered by the Provincial Government in this behalf to pass a sentence of fine exceeding one thousand rupees on any person convicted under this Act. Special
provision
regarding
fines.

V of
1898.

21.—(1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court. Presump-
tion as to
orders.

(2) Where an order purports to have been made and signed by an authority in exercise of any power conferred

by or under this Act, a Court shall, within the meaning of ^{1 of} the Evidence Act, 1872, presume that such order was so 1872. made by that authority.

Protection
of action
taken under
the Act.

22. No suit, prosecution or other legal proceeding shall lie in respect of anything which is in good faith done or intended to be done in pursuance of any order made under this Act.

Continuance
of existing
orders.

23. All orders made under the Cotton Ordinance, 1950, Ord. and in force immediately before the commencement of this ^{IX of} Act, shall, so far as they are not inconsistent with the 1950. provisions of this Act, continue in force and shall be deemed to have been made under this Act.

Ordinance
IX of 1950
repealed.

24. The Cotton Ordinance, 1950, is hereby repealed.

**THE EAST BENGAL DISTURBED AREAS
(SPECIAL POWERS OF ARMED FORCES)
ACT, 1951.**

¹ACT No. IX OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act to preserve the provisions of the Bengal Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, and the Assam Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, by an Act, and to make certain declarations in connection therewith.

XI of 1947. WHEREAS it is expedient to preserve the provisions of the Bengal Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, and the Assam Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, and to make certain declarations in connection therewith;

It is hereby enacted as follows :—

1.—(1) This Act may be called the East Bengal Disturbed Areas (Special Powers of Armed Forces) Act, 1951. Short title,
extent and
commence-
ment.

(2) It extends to the whole of East Bengal.

(3) It shall come into force at once.

2. An officer of the Pakistan Army or of the Royal Pakistan Air Force may, in any area for the time being declared by notification under section 3 of the Bengal Disturbed Areas Ordinance, 1947, to be a disturbed area,— Special
powers of
officers of
military or
air forces.

- (a) exercise the powers conferred by section 4 of the said Ordinance upon a police officer not below the rank of Assistant Sub-Inspector;
- (b) arrest without warrant any person who has committed a cognizable offence, or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence;
- (c) enter and search, without warrant, any premises to make any such arrest as aforesaid, or to recover any person believed to be wrongfully restrained or confined, or any property reasonably suspected to be stolen property, or any arms believed to be unlawfully kept, in such premises.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, page 76.

Protection
of persons
acting under
this Act.

3. No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government against any person in respect of anything done or purporting to be done in exercise of the powers conferred by section 2.

Declarations.

4. It is hereby declared that this Act shall be deemed to have taken effect on the fifteenth day of August 1947 and to have repealed the Bengal Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, and the Assam Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, on that day; and all things done or purporting to be done in exercise of the powers conferred by section 2 of the Ordinance first mentioned or, so far as concerns the district of Sylhet, under section 2 of that Ordinance or of the Ordinance last mentioned shall be deemed to have been done or to have purported to be done under the corresponding powers conferred by this Act and shall have effect and protection accordingly.

Ordinance
XI of 1947.
Ordinance
XIV of 1947.

THE PUNJAB DISTURBED AREAS (SPECIAL POWERS OF ARMED FORCES) ACT, 1951.

ACT No. X OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act to preserve the provisions of the Punjab Disturbed Areas (Special Powers of the Armed Forces) Ordinance, 1947, by an Act, and to make certain declarations in connection therewith.

Ordinance
IV of 1947.

WHEREAS it is expedient to preserve the provisions of the Punjab Disturbed Areas (Special Powers of the Armed Forces) Ordinance, 1947, and to make certain declarations in connection therewith;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Punjab Disturbed Areas (Special Powers of Armed Forces) Act, 1951. Short title,
extent and
commence-
ment.

(2) It extends to the whole of the Punjab.

(3) It shall come into force at once.

2. An officer of the Pakistan Army or of the Royal Pakistan Air Force may, in any area for the time being declared by notification under section 3 of the Punjab Disturbed Areas Act, 1947, to be a disturbed area,— Special
powers of
officers of
military
air forces.

(a) exercise the powers conferred by section 5 of the said Act upon a police officer not below the rank of Assistant Sub-Inspector;

(b) arrest without warrant any person who has committed a cognizable offence, or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence;

(c) enter and search, without warrant, any premises to make any such arrests as aforesaid, or to recover any person believed to be wrongfully restrained or confined, or any property reasonably suspected to be stolen property, or any arms believed to be unlawfully kept, in such premises.

3. No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of the powers conferred by section 2. Protection
of persons
acting under
this Act.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, page 78.

Declarations. 4.—(1) It is hereby declared that this Act shall be deemed to have taken effect on the fifteenth day of August, 1947, and to have repealed the Punjab Disturbed Areas (Special Powers of Armed Forces) Ordinance, 1947, on that day; and all things done or purporting to be done in exercise of the powers conferred by section 2 of the Ordinance shall be deemed to have been done or to have purported to be done under the corresponding powers conferred by this Act and shall have effect and protection accordingly. Ordinance IV of 1947.

(2) The West Punjab Disturbed Areas (Special Powers Ordinance of the Armed Forces and Validation of Certain Acts) XI of 1948. Ordinance, 1948, is repealed.

THE NORTH-WEST FRONTIER PROVINCE DISTURBED AREAS
(SPECIAL POWERS OF ARMED FORCES) ACT, 1951.

ACT No. XI OF 1951¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE)]

(Received the assent of the Governor-General on the 28th April, 1951)

An Act to preserve the provisions of the North-West Frontier Province Disturbed Areas (Special Powers of the Armed Forces) Ordinance, 1947, by an Act, and to make certain declarations in connection therewith.

Ordinance
IX of 1947.

WHEREAS it is expedient to preserve the provisions of the North-West Frontier Province Disturbed Areas (Special Powers of the Armed Forces) Ordinance, 1947, and to make certain declarations in connection therewith ;

It is hereby enacted as follows :—

1. (1) This Act may be called the North-West Frontier Province Disturbed Areas (Special Powers of Armed Forces) Act, 1951. Short title, extent and commencement.

(2) It extends to the whole of the North-West Frontier Province.

(3) It shall come into force at once.

2. Any officer of the Pakistan Army or of the Royal Pakistan Air Force may, in any area for the time being declared by notification under section 3 of the North-West Frontier Province Disturbed Areas Ordinance, 1947, to be a disturbed area— Special powers of officers of military or air forces.

- (a) exercise the powers conferred by section 5 of the said Ordinance upon a police officer not below the rank of an Assistant Sub-Inspector ;
- (b) arrest without warrant any person who has committed a cognizable offence, or against whom a reasonable suspicion exists that he has committed or is about to commit a cognizable offence ;
- (c) enter and search, without warrant, any premises to make any such arrest as afore-said, or to recover any person believed to be wrongfully restrained or confined or any property reasonably suspected to be stolen property, or any arms believed to be unlawfully kept, in such premises.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p. 79.

Protection
of persons
acting under
this Act.

3. No prosecution, suit or other legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by section 2.

Declara-
tions.

4. It is hereby declared that this Act shall be deemed to have taken effect on the fifteenth day of August, 1947, and to have repealed the North-West Frontier Province Disturbed Areas (Special Powers Ordinance of the Armed Forces) Ordinance, 1947, on that day; IX of 1947. and all things done or purporting to be done in exercise of the powers conferred by section 2 of the Ordinance shall be deemed to have been done or to have purported to be done under the corresponding powers conferred by this Act and shall have effect and protection accordingly.

THE OPIUM (EXTENSION TO THE PUNJAB) ACT, 1951.

¹ACT No. XII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act to extend the Opium Act, 1857, to the Punjab

XIII of
1857.

WHEREAS it is expedient to extend the Opium Act, 1857,
to the Punjab;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Opium (Extension
to the Punjab) Act, 1951. Short title
and com-
mencement.

(2) It shall come into force at once.

XIII of
1857.

2. The Opium Act, 1857, shall extend to the Punjab.

Extension to
the Punjab
of Act XIII
of 1857.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, page 80.

Price : Anna 1

THE COURT-FEES (AMENDMENT) ACT, 1951.
ACT No. XIII OF 1951¹

[PASSED BY THE CONSTITUENT ASSEMBLY OF PAKISTAN]
(Received the assent of the Governor-General on the 28th April, 1951)

An Act further to amend the Court-fees Act, 1870.

WHEREAS it is expedient further to amend the Court-fees Act, 1870, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Court-fees (Amendment) Act, 1951.

Short title,
extent and
commence-
ment.

(2) It extends to the Capital of the Federation.

(3) It shall come into force at once.

2. In section 30 of the Court-fees Act, 1870, for the words "the figure-head", the words "the crescent and star" shall be substituted, and the following proviso shall be added at the end, namely :—

Amendment
of section
30, Act VII
of 1870.

"Provided that if any document bearing a court-fee stamp of a design current in British India immediately before the fifteenth day of August 1947 and still current in Pakistan is presented to the proper officer, he shall forthwith effect the cancellation by punching out the figure-head so as to leave the amount designated untouched."

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p. 80.

THE SALARIES AND ALLOWANCES OF MINISTERS OF STATE ACT, 1951.

¹ACT No. XIV OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the 28th
April, 1951.)

An Act to provide for the salaries and allowances of Ministers of State of the Governor-General of Pakistan.

WHEREAS it is expedient to provide for the salaries and
allowances of Ministers of State of the Governor-General of
Pakistan, and for matters connected therewith ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Salaries and Allowances
of Ministers of State Act, 1951. Short title
and com-
mencement.

(2) It shall come into force at once.

2. In this Act—

Definitions.

- (a) "Minister of State" means a Minister of State of
the Governor-General of Pakistan ;
- (b) "residence" includes the staff quarters and other
buildings appurtenant to the residence ; and
- (c) "prescribed" means prescribed by rules to be made
by the Governor-General.

3. Every Minister of State shall receive a salary of two
thousand and five hundred rupees per mensem. Salaries of
Ministers of
State.

4.—(1) Every Minister of State shall be entitled, with-
out payment of rent, to the use of a residence furnished in
accordance with the prescribed scale throughout his term of
office and for a period of fifteen days immediately thereafter. Allowances
and
privileges.

(2) Every Minister of State shall be entitled to such
further allowances and privileges as may be prescribed.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951.
Pt. V, p. 46.

Price : Anna 1

THE TARIFF (AMENDMENT) ACT, 1951

ACT No. XV OF 1951¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE)]
(Received the assent of the Governor-General on the 28th April, 1951)

An Act further to amend the Tariff Act, 1934.

WHEREAS it is expedient further to amend the Tariff Act, 1934, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Tariff (Amendment) Act, 1951. Short title and commencement.
- (2) It shall come into force at once.
2. In the First Schedule to the Tariff Act, 1934,— Amendment of First Schedule, Act XXXII of 1934.
 - (a) for the words “ Preferential revenue ” wherever they occur in column 3, the word “ Revenue ” shall be substituted ;
 - (b) for the words “ standard rate of duty ” in the heading to column 4, the words “ Rate of duty ” shall be substituted ;
 - (c) columns 5 and 6 and all entries therein shall be omitted ;
 - (d) to the entries in the fourth column, against the item numbers 75 (1), 75 (2) and 75 (3) in the first column, the words “ *ad valorem* ” shall severally be added ; and
 - (e) against the item numbers of the said Schedule specified in the first column of the sub-joined table, the entries in the second, third and fourth columns of the table shall be substituted for the entries in the corresponding columns of the said Schedule, namely :—

TABLE

Item No.	Name of Article	Nature of duty	Rate of duty
(1)	(2)	(3)	(4)
28 (15)	Calcium chloride ...	Revenue	Rs. 4-14 per cwt.
28 (18)	The following sodium compounds, namely :—		
	(a) Sodium phosphates	Revenue	Rs. 11 per cwt.
	(b) Sodium sulphite and sodium bisulphite.	Revenue	Rs. 12 per cwt.
	(c) Sodium thiosulphate	Revenue	Rs. 7-8 per cwt.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p. 92.

(1)	(2)	(3)	(4)
30 (9)	Abrasive papers and rolls, coils, discs, belts, shapes and tapes, made of abrasive paper, when imported as stores apart from machinery.	Revenue	36 per cent <i>ad valorem</i> .
47 (6)	Cotton twist and yarn, and cotton sewing or darning thread—		
	(a) of counts above 50's ...	Revenue	6-1/4 per cent <i>ad valorem</i> .
	(b) of counts 50's and below	Revenue	6-1/4 per cent <i>ad valorem</i> or 1-7/8 annas per lb., whichever is higher.
48 (1)	Fabrics, not otherwise specified, containing more than 90 per cent artificial silk.	Revenue	50 per cent <i>ad valorem</i> or 4 annas per square yard, whichever is higher.
48 (3)	Cotton fabrics, not otherwise specified, containing more than 90 per cent cotton—		
	(a) grey piecegoods (excluding bordered grey <i>chadars</i> , <i>dhoties</i> , <i>saris</i> and scarves) ;	Revenue	50 per cent <i>ad valorem</i> or 5½ annas per lb., whichever is higher.
	(b) printed piecegoods and printed fabrics ;	Revenue	50 per cent <i>ad valorem</i> .
	(c) cotton piecegoods and fabrics not otherwise specified.	Revenue	50 per cent <i>ad valorem</i> .
48 (5)	Fabrics, not otherwise specified, containing not more than 10 per cent silk but more than 10 per cent and not more than 90 per cent artificial silk—		
	(a) containing 50 per cent or more cotton ;	Revenue	50 per cent <i>ad valorem</i> or 3-1/4 annas per square yard, whichever is higher.
	(b) containing no cotton or containing less than 50 per cent cotton.	Revenue	50 per cent <i>ad valorem</i> or 4 annas per square yard, whichever is higher.
48 (7)	Fabrics, not otherwise specified, containing not more than 10 per cent silk or 10 per cent artificial silk or 10 per cent wool, but containing more than 50 per cent cotton and not more than 90 per cent cotton.	Revenue	50 per cent <i>ad valorem</i> .

(1)	(2)	(3)	(4)
48 (9)	The following cotton fabrics, namely, sateens including <i>Italians</i> of sateen weave, velvets and velveteens and embroidered <i>all-overs</i> — (a) printed fabrics ... (b) other fabrics ...	Revenue Revenue	35 per cent <i>ad valorem</i> . 35 per cent <i>ad valorem</i> .
49	Textile manufactures, the following articles when made wholly or mainly of any of the fabrics specified in item Nos. 48, 48 (1), 48 (3), 48 (4), 48 (5), 48 (7), 48 (9) or 48 (10) :— Bed sheets Bed spreads Bolster cases Counterpanes Cloths, table Cloths, tray Covers, bed Covers, table Dusters Glass cloths Handkerchiefs Napkins Pillow cases Pillow slips Scarves Shirts Shawls Sacks (cotton) Towels Umbrella coverings.	Revenue	The <i>ad valorem</i> rate of duty applicable to the fabric of which the article is wholly or mainly made.
63 (2)	Iron or steel angle, channel, tee, flat (other than alloy tool or special steel), beam, zed, trough and piling— (a) not fabricated ... (b) fabricated ...	Revenue Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation; <i>plus</i> Rs. 43 per ton. 1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation; <i>plus</i> Rs. 40 per ton.

(1)	(2)	(3)	(4)
63 (3)	Iron or steel (other than alloy tool or special steel) bar and rod.	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 39 per ton ; or 20 per cent <i>ad valorem</i> , whichever is higher.
63 (6)	Cast-iron pipes and tubes also cast-iron fittings therefor, that is to say, bends, boots, elbows, tees, sockets, flanges, plugs, valves, cocks and the like.	Revenue	Rs. 57-8 per ton.
63 (9)	Iron or steel structures, fabricated partially or wholly, not otherwise specified, if made mainly or wholly of iron or steel bars, sections, plates or sheets, for the construction of buildings, bridges, tanks, well curbs, trestles, towers and similar structures or for parts thereof, but not including builders' hardware, or any of the articles specified in item Nos. 72, 72 (3), 74 (1), 75 (3), 75 (4) or 76 (1).	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 40 per ton.
63 (10)	Steel, tinplates and tinned sheets, including tin taggers, and cuttings of such plates, sheets or taggers.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 59 per ton.
63 (12)	A—Iron or steel bolts and nuts, including hookbolts and nuts for roofing but excluding fish bolts and nuts.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 1-9 per cwt.
	B—Iron or steel fish bolts and nuts.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 4-5 per cwt.
63 (15)	Iron or steel rivets	... Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 1-14 per cwt.

(1)	(2)	(3)	(4)
63 (17)	Iron or steel pipes and tubes and fittings therefor, if riveted or otherwise built up of plates or sheets.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 35 per ton.
63 (19)	Iron or steel plates excluding cast-iron plates—		
	(a) not fabricated	... Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 25 per ton.
	(b) fabricated	... Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 40 per ton.
63 (20)	Iron or steel sheets (other than high silicon electrical steel sheets)—		
	(a) not fabricated—		
	(1) not galvanized	... Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 32 per ton.
	(2) galvanized	... Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 40 per ton.
	(b) fabricated—		
	(1) not galvanized	... Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 35 per ton.
	(2) galvanized	... Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 44 per ton.

(1)	(2)	(3)	(4)
63 (21)	Iron or steel railway track material—		
	A—Rails (including tramway rails the heads of which are not grooved)—		
	(a) 30 lbs. per yard and over, and fish plates therefor,—	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; or 20 per cent <i>ad valorem</i> , whichever is higher.
	(b) under 30 lbs. per yard and fish plates therefor.	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 39 per ton.
	B—Switches and crossings including stretcher-bars and other component parts and switches and crossings including stretcher-bars and other component parts for tramway rails the heads of which are not grooved—		
	(a) for rails 30 lbs. per yard and over,—	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; or 20 per cent <i>ad valorem</i> , whichever is higher.
	(b) for rails under 30 lbs. per yard.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 43 per ton.
	C—Sleepers, and sleeper bars, other than cast-iron.	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; or 20 per cent <i>ad valorem</i> , whichever is higher.

(1)	(2)	(3)	(4)
	D—Spikes (other than dogspikes) and tie-bars.	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 39 per ton.
	E—Dogspikes ...	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 2-15 per cwt.
	F—Gibs, cotters, keys (including tapered key-bars), distance pieces and other fastenings for use with iron or steel sleepers.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 2-15 per cwt.
63 (25)	Iron or steel wire, other than (high carbon or spring steel wire) barbed or stranded wire, wire rope or wire netting ; and iron or steel wire nails.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 60 per ton.
63 (27)	Iron or steel, the original material (but not including machinery) of any ship or other vessel intended for inland or harbour navigation which has been assembled abroad, taken to pieces and shipped for re-assembly in Pakistan :	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 27-8 per ton ; or 20 per cent <i>ad valorem</i> , whichever is higher.
	Provided that the articles dutiable under this item shall not be deemed to be dutiable under any other item.		
3 (30)	Alloy, tool or special steel rod, bar and flat.	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 39 per ton ; or 20 per cent <i>ad valorem</i> whichever is higher ; <i>plus</i> one-fifth of such higher amount.

(1)	(2)	(3)	(4)
63 (31)	High silicon electrical steel sheets.	Revenue	1-1/3 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 32 per ton, <i>plus</i> one-fifth of the total of such amounts.
63 (32)	High carbon or spring steel wire.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 60 per ton, <i>plus</i> one-fifth of the total of such amounts.
72 (11)	Sewing machines (and parts thereof) to be worked by manual labour or which require for their operation less than one-quarter of one brakehorse power.	Revenue	40 per cent <i>ad valorem</i> .
74	Coal tubs, tipping wagons and the like conveyances designed for use on light rail track, if adapted to be worked by manual or animal labour and if made mainly of iron or steel ; and component parts thereof made of iron or steel.	Revenue	1-1/2 times the excise duty leviable for the time being on steel ingots produced in the Provinces and the Capital of the Federation ; <i>plus</i> Rs. 40 per ton ; or 20 per cent <i>ad valorem</i> , whichever is higher.
75 (5)	Cycles (other than motor cycles) imported entire or in sections.	Revenue	Rs. 25 per cycle.
75 (6)	Frames for cycles (other than motor cycles).	Revenue	45 per cent <i>ad valorem</i> .
75 (7)	Handlebars for cycles (other than motor cycles).	Revenue	45 per cent <i>ad valorem</i> .
75 (8)	All other parts and accessories of cycles (other than motor cycles) not otherwise specified (excluding rubber tyres and tubes).	Revenue	45 per cent <i>ad valorem</i> .

THE PAKISTAN NAVAL RESERVE FORCES (DISCIPLINE) (AMENDMENT) ACT, 1951.

¹ACT No. XVI OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act further to amend the Pakistan Naval Reserve Forces (Discipline) Act, 1939.

WHEREAS it is expedient further to amend the Pakistan
Naval Reserve Forces (Discipline) Act, 1939, for the
purposes hereinafter appearing;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Pakistan Naval
Reserve Forces (Discipline) (Amendment) Act, 1951.

Short title
and com-
mencement.

(2) It shall come into force on such date as the
Central Government may by notification in the official
Gazette appoint.

2. In section 2 of the Pakistan Naval Reserve Forces
(Discipline) Act, 1939, (hereinafter referred to as the
said Act) after the words "Royal Pakistan Naval Volun-
teer Reserve" the words "the Pakistan Women Naval
Reserve" shall be inserted.

Amendment
of section 2,
the Pakistan
Naval
Reserve
Forces
(Discipline)
Act, 1939.

3. To section 4 of the said Act, the following proviso
shall be added, namely:—

Amendment
of section 4,
the Pakistan
Naval
Reserve
Forces
(Discipline)
Act, 1939.

"Provided that the members of the Pakistan Women
Naval Reserve shall not be so subject while under-
going training on board any vessel or otherwise."

4. In section 5 of the said Act, in sub-section (1), after
the words "the Pakistan Naval Reserve Forces", the
words "other than a member of the Pakistan Women
Naval Reserve" shall be inserted.

Amendment
of section 5,
the Pakistan
Naval
Reserve
Forces
(Discipline)
Act, 1939.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part. V,
pages 129 & 130.

Price : Anna 1.

THE MOTOR VEHICLES (AMENDMENT) ACT, 1951

¹Act No. XVII of 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

*(Received the assent of the Governor-General on the
28th April, 1951.)*

An Act further to amend the Motor Vehicles Act, 1939.

IV of 1939. WHEREAS it is expedient further to amend the Motor Vehicles Act, 1939, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Motor Vehicles Short title and commencement.
(Amendment) Act, 1951.

(2) It shall come into force at once.

1A.—To sub-section (2) of section 1 of the Motor Vehicles Act, 1939, the following words shall be added at the end, namely :—
Amendment of section 1, Act IV of 1939.

“except that sub-section (4) of section 43, sections 43A, 43B and 43C and sub-section (2) of section 45 shall not apply to East Bengal”.

2. In section 43 of the Motor Vehicles Act, 1939, hereinafter referred to as the said Act, the following new sub-section (4) shall be added at the end, namely :—
Amendment of section 43, Act IV of 1939.

“ (4) Notwithstanding anything in the foregoing sub-sections the Provincial Government may by a notification under this sub-section—

(a) cancel generally or in relation to a specified area any permit or class of permits granted under this Chapter in respect of transport vehicles in order to enable the Road Transport Board to use its transport vehicles on the routes thus rendered vacant ; and

(b) give effect to the term of any agreement entered into with the Central Government relating to the regulation of motor transport generally and in particular to its co-ordination with railways.”.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p. 83.

Insertion of
new sections
43A, 43B
and 43C, Act
IV of 1939.

Road Trans-
port Board.

3. After section 43 of the said Act, the following new sections shall be inserted, namely :—

- “43A.—**(1) Where a Provincial Government decides to operate transport services itself it shall constitute a Road Transport Board.
- (2) The Board shall consist of seven members, of whom four including the Chairman shall be appointed by the Provincial Government and three by the Central Government.
- (3) Members of the Board shall hold office for such period, as may be specified in the order appointing them, but notwithstanding the foregoing provision any member may resign or may be removed at any time, or may be re-appointed, by the appointing authority.
- (4) The Provincial Government shall consult the Board in all matters relating to the co-ordination of road and rail transport and in the fixation of fares and freights under this Chapter.
- (5) The Road Transport Board shall reserve for and allot to the Central Government, as represented by the railways, not less than 25% of its total share capital.
- (6) If a dispute arises between the Central Government and a Provincial Government in respect of any matter concerning the fixation of fares and freights, and no settlement is arrived at by negotiation, the dispute shall be referred to the arbitration of the Chief Justice of the Federal Court or of a Judge of the Federal Court nominated by him, and the award of the Chief Justice or Judge aforesaid shall be final and binding on the parties and shall not be called in question in any court of law nor shall anything in the Arbitration Act, 1940, apply to such arbitration. X of 1940.
- (7) The Provincial Government shall make rules, with the previous concurrence of the Central Government and not inconsistently with this Act, prescribing the powers and functions of the Board.

Jurisdiction
of Transport
Authorities
barred.

- 43B.—**(1) The Road Transport Board may operate motor transport on any route it may think fit and where it so operates such transport, the Provincial Transport Authority and the Regional Transport Authority shall, notwithstanding anything in this Act, have no jurisdiction in relation to that transport.
- (2) Where the Provincial Government has cancelled any permit or class of permits under clause (iii) of subsection (1) of section 43, the Provincial Transport Authority and the Regional Transport Authority shall, notwithstanding anything in this Act, have no

jurisdiction in respect of such permit or class of permits.

- 43C.—(1) The Road Transport Board shall have power to acquire any property—movable or immovable—used in, or for, or ancillary to, the operation of any motor transport conducted under a permit granted under this Chapter. Road Transport Board to have power to acquire property of road transport operators.
- (2) Such acquisition may be made by serving a notice of acquisition on the owner of the property, or if such owner is not readily traceable or the ownership is in dispute, by a notice of acquisition published in the official Gazette of the Province, and shall take effect from the beginning of the day on which the notice is served or published.
- (3) For any property so acquired there shall be paid compensation equivalent to the market value of the property acquired to be calculated in such manner as the Provincial Government may prescribe.
- (4) If any dispute arises as to the amount of compensation payable under sub-section (3) it shall be referred to the arbitration of a person who is or has been a High Court Judge and his award shall be final and binding on the parties and shall not be called in question in any court of law nor shall anything in the Arbitration Act, 1940, apply to the arbitration.”

X of
1940.

4. Section 45 of the said Act shall be re-numbered as sub-section (1) of that section, and after the sub-section as so re-numbered the following new sub-section shall be added, Amendment of section 45, Act IV of 1939.
namely :—

- “(2) Nothing in sub-section (1) shall apply to road transport services operated by a Road Transport, Board.”

THE SEA CUSTOMS (AMENDMENT) ACT, 1951

¹ Act No. XVIII of 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act further to amend the Sea Customs Act, 1878

VIII
of
1878.

WHEREAS it is expedient further to amend the Sea
Customs Act, 1878, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

- 1.—(1) This Act may be called the Sea Customs (Amendment) Act, 1951. Short title
and com-
mencement.
- (2) It shall come into force at once.

2. In section 181A of the Sea Customs Act, 1878,—

- (a) in sub-section (1), after the words "containing any" the words "treasonable or" shall be inserted and for the words, figures and letter "section 124A of the Indian Penal Code" the words, figures and letters "section 123A or section 124A, as the case may be, of the Pakistan Penal Code" shall be substituted; Amendment
of section
181A, Act
VIII of
1878.
- (b) in sub-section (3), after the words "containing any such" the words "treasonable or" shall be inserted; and
- (c) in the further proviso to sub-section (3), after the words "containing any such" the words "treasonable or" shall be inserted.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V., p. 130.

Price : Anna 1

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) ACT, 1951.

¹ACT No. XIX OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act further to amend the Code of Criminal Procedure,
1898.

WHEREAS it is expedient further to amend the Code
of Criminal Procedure, 1898, for the purposes hereinafter
appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Code of Criminal
Procedure (Amendment) Act, 1951. Short title
and com-
mencement.

(2) It shall come into force at once.

2. In section 99A of the Code of Criminal Procedure, 1898, hereinafter referred to as the Code, in sub-section (1), after the words "contain any" the words "treasonable or" shall be inserted and after the words "punishable under" the words, figures and letter "section 123A or" shall be inserted. Amendment
of section
99A, Act
V of 1898.

3. In section 99B of the Code, after the words "contain any" the words "treasonable or" shall be inserted. Amendment
of section
99B, Act V
of 1898.

4. In section 99D of the Code, after the word "contained" the words "treasonable or" shall be inserted. Amendment
of section
99D, Act V
of 1898.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, p. 132.

Price : Anna 1

THE POST OFFICE (AMENDMENT) ACT, 1951.

ACT No. XX OF 1951.¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE).]

(Received the assent of the Governor-General on the 28th April, 1951.)

An Act further to amend the Post Office Act, 1898.

VI of 1898. WHEREAS it is expedient further to amend the Post Office Act, 1898, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. (1) This Act may be called the Post Office (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

VI of 1898.

2. In section 27B of the Post Office Act, 1898— Amendment of section 27B, Act VI of 1898.
(a) in clause (a) of sub-section (1), after the words "containing any" the words "treasonable or" shall be inserted and for the words, figures and letter "section 124A of the Indian Penal Code" the words, figures and letters "section 123A or section 124A, as the case may be, of the Pakistan Penal Code" shall be substituted ; and
(b) in the second proviso to sub-section (3) after the words "containing any" the words "treasonable or" shall be inserted.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V p. 131.

Price : Anna 1.

THE EMBODIMENT (PAKISTAN NATIONAL GUARD) (VALIDATION) ACT, 1951.

¹ACT No. XXI OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act to validate the embodiment of certain units of the Pakistan National Guard to support and supplement the Pakistan Army.

WHEREAS it is expedient to validate the embodiment of certain units of the Pakistan National Guard to support and supplement the Pakistan Army;

It is hereby enacted as follows:—

- 1.—(1) This Act may be called the Embodiment (Pakistan National Guard) (Validation) Act, 1951. Short title and commencement.
- (2) It shall come into force at once.

LXIII of
1950.
Ord. II
of 1947.

2. Notwithstanding anything in the Pakistan National Guard Act, 1950, including the repeal of the Pakistan National Guard Ordinance, 1947, by section 19 of that Act, the embodiment of any unit of the Pakistan National Guard to support and supplement the Pakistan Army heretofore made with effect from any date posterior to the promulgation of the aforesaid Ordinance and anterior to the commencement of the aforesaid Act is hereby declared to be lawful and valid. Validation of certain embodiments.

3. No suit, prosecution or other legal proceeding, and no proceeding by way of petition, shall lie against or to the Crown or any person or authority for anything which is or has been in good faith done or intended to be done in respect of or in pursuance of such embodiment so far as concerns the validity of the same. Indemnity.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, Page 183.

Price : Anna 1

THE EAST BENGAL (SMUGGLING OF FOOD-GRAINS) (AMENDMENT) ACT, 1951.

ACT No. XXII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act to amend the East Bengal (Smuggling of Food-grains) Act, 1950.

LXXVI of 1950. WHEREAS it is expedient to amend the East Bengal (Smuggling of Foodgrains) Act, 1950, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

LXXVI of 1950. 1.—(1) This Act may be called the East Bengal (Smuggling of Foodgrains) (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

2. To section 1 of the East Bengal (Smuggling of Foodgrains) Act, 1950, hereinafter referred to as the said Act, the following new sub-section shall be added, namely:— Amendment of section 1 of 1950.

“(4) The provisions of this Act may be extended by the Central Government to any other Province or to the Capital of the Federation by notification in the official Gazette, and in the Act as so extended the reference to East Bengal in clause (e) of section 2 shall be construed as a reference to that other Province or, as the case may be, to the Capital and references to the Sub-Divisional Magistrate shall be construed as including references to the District Magistrate and any magistrate authorised by the Central Government to exercise the powers conferred on a Sub-Divisional Magistrate by this Act.”.

3. In clause (e) of section 2 of the said Act, the words “or the Provincial Government” shall be omitted wherever they occur. Amendment of section 2, Act LXXVI of 1950.

4. In sub-section (1) of section 4 of the said Act, for the words “Provincial Government” the words “Central Government” shall be substituted. Amendment of section 4, Act LXXVI of 1950.

5. In the proviso to sub-section (3) of section 5 of the said Act, for the words “Provincial Government” the words “Central Government” shall be substituted. Amendment of section 5, Act LXXVI of 1950.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, Page 133.

Amendment of section 7, Act LXXVI of 1950. 6. In sub-section (1) of section 7 of the said Act, for the word "Government" the words "the Central Government" shall be substituted.

Amendment of section 8, Act LXXVI of 1950. 7. In section 8 of the said Act, for the word "Government" the words "the Central Government" shall be substituted.

Amendment of section 10, Act LXXVI of 1950. 8. In section 10 of the said Act, for the words "its powers" the words "the powers delegated to it" shall be substituted.

Amendment of section 13, Act LXXVI of 1950. 9. In section 13 of the said Act, after the words "shall lie against" the words "the Central Government or" shall be inserted.

THE NATURALIZATION (AMENDMENT) ACT, 1950.

¹ACT No. XXIII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act further to amend the Naturalization Act, 1926

WHEREAS it is expedient further to amend the Naturalization Act, 1926, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Naturalization (Amendment) Act, 1950. Short title and commencement.

(2) It shall come into force at once.

VII of 1926. 2. In the long title and the preamble of the Naturalization Act, 1926, hereinafter referred to as the Act for the expression "the Provinces and the Capital of the Federation", the expression "Pakistan" shall be substituted at both places. Amendment of long title & preamble, Act VII of 1926.

3. In section 1 of the Act, for sub-section (2) the following shall be substituted, namely :— Amendment of section 1, Act VII of 1926.

"(2) It extends to the whole of Pakistan."

4. In section 2 of the Act, for clause (c) the following shall be substituted, namely :— Amendment of section 2, Act VII of 1926.

IX of 1875. " (c) "minor" means, notwithstanding anything in the Majority Act, 1875, any person who has not completed his age of twenty-one years."

5. In section 3 of the Act, in sub-section (1)— Amendment of section 3, Act VII of 1926.

(a) in clause (b), after the words "British subjects nor" the words "a subject of any Acceding State or a native of the tribal areas or" shall be inserted ;

(b) for clause (c), the following shall be substituted, namely :—

" (c) that he has, during a period of not less than five years immediately preceding the date of the publication, either resided in a territory which on or after the fifteenth day of August 1947 has become a territory of Pakistan, or been in the service of the Crown therein " ;

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1950, Part V, page 292.

(c) in clause (e), for the expression "the Provinces and the Capital of the Federation" the expression "Pakistan" shall be substituted; and

(d) in clause (f), for the expression "the Provinces and the Capital of the Federation" the expression "Pakistan" shall be substituted.

Amendment
of section 4,
Act VII of
1926.

6. In section 4 of the Act, in sub-section (1)—

(a) in clause (f) the words and figures "or the 11 & British Nationality Act, 1948" shall be added at the end; and 12 Geo. 6, c.56.

(b) in clause (i) the words "or whether he has been deprived of his citizenship under the Pakistan 11 & Citizenship Act, 1950 or the British Nationality 12 Geo. 6, c.56. Act, 1948" shall be added at the end.

Amendment
of section 5,
Act VII of
1926.

7. In section 5 of the Act, in sub-section (2) for the expression "the Provinces and the Capital of the Federation" the expression "Pakistan" shall be substituted.

Amendment
of section 6,
Act VII of
1926.

8. In section 6 of the Act, for the words "His Majesty the King, His Heirs and Successors" the words "the Constitution of Pakistan" shall be substituted.

Amendment
of section 7,
Act VII of
1926.

9. In section 7 of the Act, in sub-section (1), for the expression "the Provinces and the Capital of the Federation" the expression "Pakistan" shall be substituted.

Amendment
of section 8,
Act VII of
1926.

10. In section 8 of the Act, in sub-section (1), and in clauses (a) and (e) of the sub-section (2) for the words "His Majesty" the word "Pakistan" shall be substituted.

Amendment
of section
11, Act VII
of 1926.

11. In section 11 of the Act, for the word "Indian" the word "Pakistan" shall be substituted at both places.

Amendment
of section
14A, Act
VII of 1926.

12. In section 14A of the Act, for the expression "the Provinces and the Capital of the Federation" the expression "Pakistan" shall be substituted.

Amendment
of section
14B, Act
VII of 1926.

13. In section 14B of the Act, the words "the Provinces of" shall be omitted at both places.

THE TARIFF (SECOND AMENDMENT) ACT, 1951.

¹ACT No. XXIV OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
28th April, 1951.)

An Act further to amend the Tariff Act, 1934

WHEREAS it is expedient further to amend the Tariff Act, 1934, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Tariff (Second Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

XXXII
of 1934.

2. In the First Schedule to the Tariff Act, 1934 (hereinafter referred to as the said Act), against item 71 (7) relating to hurricane lanterns the entries in the third, fourth and fifth columns of the subjoined Table shall be substituted for the entries in the third, fourth and fifth columns, respectively, of the Schedule, namely:— Amendment of First Schedule, Act XXXII of 1934.

“TABLE

Item No.	Name of article.	Nature of duty.	Rate of duty.	Duration of protective rate of duty.
71 (7)	Hurricane lanterns.	Protective.	40 % <i>ad valorem</i> .	March 31, 1952.”

3. To the first column of the Second Schedule to the said Act, the following entry shall be added, namely:— Amendment of Second Schedule, Act XXXII of 1934.

“12”;

and against that entry shall be added in the second column the words and comma “Wool, raw” and in the fourth column the figures, sign and words “25% *ad valorem*”.

Ordinance VIII of 1950, Ordinance II of 1951.

4. The Tariff (Second Amendment) Ordinance, 1950, and the Tariff (Amendment) Ordinance, 1951, are hereby repealed; and the amendment made by section 3 of this Act in the said Act shall be deemed to have taken effect on the date the first-mentioned Ordinance was promulgated. Repeal of Ordinances No. VIII of 1950 and No. II of 1951.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, page 185.

Price: Anna 1

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THE INLAND STEAM-VESSELS (AMENDMENT) ACT, 1951.

¹ACT NO. XXV OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
10th May, 1951.)

An Act further to amend the Inland Steam-Vessels Act, 1917.

I of 1917. WHEREAS it is expedient further to amend the Inland Steam-Vessels Act, 1917, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Inland Steam-Vessels (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

I of 1917. 2. Except in section 1 of that Act, throughout the Inland Steam-Vessels Act, 1917, hereinafter called the Act for the words “steam-vessel” or “Inland steam-vessel”, in the singular or the plural, as the case may be, wherever they occur the words “mechanically propelled vessel”, in the appropriate number, shall be substituted. General substitution.

3. For section 1 of the Act, the following shall be substituted, namely :— Substitution of new section 1, Act I of 1917.

“1.—(1) This Act may be called the Inland Mechanically Propelled Vessels Act.

(2) It extends to the whole of Pakistan.”

4. In section 2 of the Act,—

(a) for clause (1), the following shall be substituted, namely :— Amendment of section 2, Act I of 1917.

“ (1) ‘mechanically propelled vessel’ means every description of vessel ordinarily plying on inland waters and propelled wholly or in part by steam, electricity or other mechanical power, and includes for purposes only of registration under this Act a sailing boat,

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, dated the 13th April, 1951, Pt. V, p. 128.

dumb barge and any other craft not mechanically propelled, when towed or pushed by a mechanically propelled vessel;" and

(b) for clause (5), the following shall be substituted, namely:—

"(5) 'registrar' means a registrar appointed under this Act;"

Amendment of section 3, Act I of 1917. 5. For sub-section (1) of section 3 of the Act, the following shall be substituted, namely:—

"(1) A mechanically propelled vessel shall not proceed on any voyage, or ply on any inland water unless she has a certificate of survey and a certificate of registry, in force and applicable to such voyage or water, and unless she is owned—

(a) by a person who is a Pakistan national, or

(b) by a person registered as a company in Pakistan, or, if registered outside Pakistan, having in Pakistan an agent or branch together with an organisation adequate to the independence operation of the agency or branch within Pakistan."

Amendment of section 4, Act I of 1917.

6. In section 4 of the Act—

(a) in sub-section (1),—

(i) in clause (a), after the word "survey" the words "and registry" shall be added; and

(ii) in clause (b), after the word "surveyors", the words "and registrar" shall be added; and

(b) for sub-section (2), the following shall be substituted, namely:—

"(2) Every surveyor and every registrar shall, for the purposes of any survey or any registry made by him, be deemed to be a public servant within the meaning of the Pakistan Penal Code. XLV of 1860."

Amendment of section 5, Act I of 1917.

7. In section 5 of the Act, after the word "survey" the words "or registry" shall be inserted, and after the word "surveyor" the words "or the registrar, as the case may be" shall be inserted.

Substitution of section 6, Act I of 1917.

8. For section 6 of the Act, the following shall be substituted, namely:—

"6. Before a survey is commenced, or a registry is made, the owner or master of the vessel to be surveyed or registered, as the case may be, shall pay to such officer as the Provincial Government may, by notification in the official Gazette appoint in this behalf, a survey or registry fee, as the case may be, calculated on the tonnage of the

vessel according to the rates mentioned in Schedules I and IA or according to any other prescribed rates.”.

9. In section 19 of the Act,—

(a) in sub-section (1), the words “and registries” shall be added at the end;

Amendment
of section 19,
Act I of
1917.

(b) in sub-section (2),—

(i) in clause (c), after the words “certificates of survey” the words “or of registry” shall be inserted, and for the figures, letters and words “under sections 7 and 9” the words, letters and figures “under sections 7, 9, 19A and 19B” shall be substituted; and

(ii) for clauses (d) and (e), the following shall be substituted, namely:—

“(d) the rates other than those mentioned in Schedules I and IA according to which the fees payable in respect of surveys and registry are to be calculated in the case of all or any of the places of survey or registry within the territories under its administration; and

(e) the cases in which, and the extent to which, a survey or registry may be dispensed with.”.

10. After section 19 of the said Act, the following new sections shall be inserted, namely:—

Insertion of
new sections
19A to 19R,
Act I of
1917.

“19A. The registrar shall register a mechanically propelled vessel on receipt of an application for registry from an owner being a person who fulfils the conditions specified in clause (a) or clause (b) of sub-section (1) of section 3.

19B. The registrar shall keep a register book in such form as the Provincial Government may prescribe.

19C. On registering a mechanically propelled vessel the registrar shall grant a certificate of registry containing the particulars respecting her entered in the register book, and shall assign a register number to her which shall be displayed on both her bows, and on her stern, followed by this device, namely, upon a square green ground a white star and crescent whose horns point to the upper left corner of the ground.

19D. The certificate of registry shall always be carried on board the vessel by the owner or master and shall be open to inspection by a person duly authorised by the Provincial Government in this behalf.

19E. In the event of the certificate of registry of the vessel being mislaid, lost or destroyed the registrar shall grant a new certificate in lieu

of her original certificate on payment of such fee as may be prescribed by the Provincial Government.

19F. (1) In the event of a vessel registered under this Act being actually or constructively lost, taken by the enemy, or burnt or broken up, or transferred to a person who does not fulfil the conditions specified in clause (a) or clause (b) of sub-section (1) of section 3, the owner of the vessel shall immediately give notice of the event, if notice thereof has not already been given, to the registrar, and the registrar shall make an entry thereof in the register book.

(2) In any such case, except where the vessel's certificate of registry has been lost or destroyed, the owner or master of the vessel shall, if the event occurs in the place of registry, immediately, and if it occurs elsewhere, then within 10 days of her arrival at the place of registry, deliver the certificate to the registrar, or if the vessel is not likely to return to the place of registry, within 10 days of the happening of the event, to the nearest magistrate, and the magistrate shall forthwith forward the certificate delivered to him to the registrar.

(3) If the owner or master fails, without reasonable cause to comply with the provisions of this section, he shall for each offence be liable to a fine not exceeding one hundred rupees.

19G. (1) Whenever a change occurs in the registered ownership of a mechanically propelled vessel, the change of ownership shall be endorsed on her certificate of registry by the registrar.

(2) The owner or master shall for the purposes of such endorsement by the registrar deliver the certificate of registry to the registrar forthwith after the change, if the change occurs when the vessel is at her place of registry, or if it occurs during her absence from that place then upon her first return to that place.

(3) If the owner or master fails to deliver the certificate of registry to the registrar as required by this section he shall, for each offence, be liable to a fine not exceeding one hundred rupees.

19H. (1) If at any place outside Pakistan a mechanically propelled vessel becomes the property of a person who fulfils the conditions specified in clause (a) or clause (b) of sub-section (1) of section 3, the fact shall be reported to the

registrar giving the time of her arrival at the place of registry. The following particulars shall also be furnished :—

- (a) the name of the vessel, if any,
- (b) the time and place of her purchase and the name or names of the purchaser or purchasers,
- (c) the name of her master, and
- (d) the particulars respecting her tonnage, build and description which he is able to obtain.

19I. (1) A registered inland mechanically propelled vessel or share therein when disposed of shall be transferred by bill of sale.

(2) Every bill of sale for the transfer within Pakistan of a mechanically propelled vessel registered under this Act, when duly executed, shall be presented to the registrar at her place of registry, with the declaration of transfer, and he shall thereupon enter the name of the transferee in the register book as owner of the vessel, and endorse on the bill of sale the fact of that entry having been made, with the day and hour thereof.

19J. (1) No mechanically propelled vessel registered under this Act shall be transferred or sold without the previous notice to the registrar to any person unless that person is a Pakistan national residing and carrying on business in Pakistan or fulfils the conditions specified in clause (b) of sub-section (1) of section 3.

(2) Upon receipt of such notice the registrar shall grant him a certificate of transfer or sale authorising the transfer or sale accordingly.

19K. (1) If a mechanically propelled vessel is sold to a person being a Pakistan national residing and carrying on business in Pakistan or fulfilling the condition specified in clause (b) of sub-section (1) of section 3, the vessel shall be registered anew.

(2) Before so registering the vessel the registrar shall require the bill or sale by which the vessel is transferred, the certificate of transfer or sale and the certificate of registry of such vessel.

(3) The registrar shall retain the certificates of sale and registry, after having endorsed on both of those instruments an entry of the fact of a sale having taken place.

(4) When he registers a vessel anew under this section the registrar may enter in his register book the description of the vessel contained in her original certificate of registry.

19L. On proof at any time to his satisfaction that a certificate of transfer or sale is lost or destroyed, or so obliterated as to be useless, and that the transfer or sale thereby authorised has not been carried out, or if it has been carried out, then on proof of the several matters and things that have been done thereunder, the registrar may issue a new certificate, or direct such entries to be made in the register book or such other things to be done as might have been made or done if the loss, destruction or obliteration had not taken place.

19M. (1) When a mechanically propelled vessel registered under this Act is so altered as not to correspond with the particulars relating to her tonnage or description contained in the register book, the registrar shall, on application being made to him, and on receipt of a certificate from a surveyor stating the particulars of the alteration, register the alteration, or, if he thinks fit, register the vessel anew.

(2) Until such vessel, being so altered, is registered anew or her alteration is registered, as provided in sub-section (1), she shall be deemed not to be registered under this Act.

(3) When the registrar registers a vessel anew under this section there shall be paid in that behalf the fee then payable in respect of a vessel of that description registered under this Act for the first time.

(4) When the registrar registers an alteration under this section, the vessel's certificate of registry shall be produced before him, and he may, at his discretion, retain it and grant a new certificate of registry containing a description of her, as altered, or endorse and sign on the certificate produced before him a memorandum of the alteration.

19N. (1) Where a vessel is to be registered anew, the registrar shall proceed as in the case of first registry, and on the delivery up to him of the existing certificate of registry and upon fulfilment of the other requirements for registry or, in the case of a change of ownership, such of them as he thinks material, he shall register the vessel anew and grant a certificate thereof.

(2) When a vessel is registered anew, her former register shall be considered as closed, except so far as it relates to any unsatisfied and unexpired certificate of sale entered thereon, but the names of all persons appearing on the former register to be interested in her

as owners shall be entered on the new register and the registry anew shall not in any way affect the rights of any of those persons.

19O. The registrar shall, not later than the 15th of January and the 15th of July in every year, transmit to the Provincial Government particulars, in such form as that Government may direct, of all registries and transfers, cancellations of registry and other dealings with vessels registered by him under this Act, which have taken place in the last six months of the preceding year or, as the case may be, the first six months of the current year, the names of the persons concerned in the same, and such other particulars as may be directed by the Provincial Government.

19P. The registry of a vessel under this Act once made shall hold good until the vessel is sold or transferred or is registered anew by reason of having been altered.

19Q. Notwithstanding anything to the contrary in this Act, the Provincial Government may, by notification in the official Gazette, declare that the provisions of this Act, in its application by reason of the terms of clause (1) of section 2 to a sailing boat, dumb barge or any other craft not mechanically propelled, when towed or pushed by a mechanically propelled vessel, shall have effect only to such extent and subject to such modifications as may be specified in the notification.

19R. (1) Where the Central Government is satisfied that by the law or practice of any country outside Pakistan, mechanically propelled vessels having a certificate of registration in force under this Act—

(a) obtain by reason of such registration any special exemption in that country while plying in the inland waters thereof, or

(b) are required as a condition of plying in the inland waters of that country to comply with any special requirement, whether by way of registration anew or payment of a fee or otherwise,

the Central Government may, by notification in the official Gazette direct that the same exemption or requirement, or an exemption or a requirement as similar thereto as may be, shall by way of reciprocity be granted to, or imposed upon, inland steam vessels registered in that country while plying in the inland waters of the territories to which this Act extends.

(2) The Central Government may by notification in the official Gazette direct that the above

provisions governing reciprocity in the matter of certificates of registration shall apply, so far as may be, to certificates of survey of the vessels and certificates of competency and licences issued under the provisions of sections 9, 21, 22, and 22A of the Act."

Amendment of section 54A, Act I of 1917.

11. Sub-section (2) of section 54A shall be omitted.

Insertion of new section 54AA, Act I of 1917.

12. After section 54A of the Act, the following new section shall be inserted, namely:—

"54AA. The owner of a mechanically propelled vessel shall publish as often as may be necessary (i) tables showing the times of sailing and fares, and (ii) tariffs showing freights, and shall put the same on sale to the public."

Amendment of section 69, Act I of 1917.

13. To section 69 of the Act, the following proviso shall be added, namely:—

"Provided that no such vessel shall be used for any commercial purpose unless the registry fee prescribed under section 6 has been paid in respect of her."

Omission of section 73, Act I of 1917.

14. Section 73 of the Act shall be omitted.

Insertion of new sections 74A to 74E, Act I of 1917.

15. After section 74 of the Act, the following new sections shall be inserted, namely:—

"74A. If the Central Government by notification in the official Gazette declares that an emergent necessity has arisen rendering it essential to control the movement of goods and passengers and to provide for the allocation of routes, the Provincial Government shall appoint an Inland Waterways Control Board consisting of:—

- (1) a nominee of the Central Government,
- (2) a nominee of the Provincial Government, and
- (3) a representative of the Steamer Companies operating in the Province.

74B. The Board shall have the power to issue an order to the owner of a mechanically propelled vessel registered under this Act:—

- (i) that his vessel shall ply on any route or routes specified in the order, and
- (ii) that preference shall be given to any traffic or class of traffic to be carried in the vessel.

74C. The rules of business of the Board shall be framed by the Provincial Government with

the prior concurrence of the Central Government.

74D. The owner of a mechanically propelled vessel to which this Act applies—

- (a) shall afford all reasonable facilities for the receiving, forwarding and delivering of traffic to be carried by the vessel and for interchanging traffic with other transport organisations with which interchange arrangements have been entered into, and
- (b) shall not give any undue or unreasonable preference or advantage to any particular person or commercial concern or any particular description of traffic or subject any particular person or commercial concern or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

74E. Any person contravening an order under section 54A or section 74B or any provision of section 74D shall be liable for each offence to a fine not exceeding one thousand rupees."

16. In Schedule I of the Act, in the heading, for the words "Rates of fees" the words "Rates of survey fees" shall be substituted, and for the figure, brackets and letter "6 (a)" the figure "6" shall be substituted.

Amendment of First Schedule, Act I of 1917.

17. After Schedule I to the Act, the following new Schedule shall be inserted, namely:—

Insertion of new Schedule IA, Act I of 1917.

"SCHEDULE IA

RATES OF REGISTRATION FEES [See sections 6 and 19(d)]

				Tons	Rs.
For mechanically propelled vessels of less than	...			100	50
"	"	"	"	100 tons and up to	200 80
"	"	"	"	200 tons and up to	350 100
"	"	"	"	350 tons and up to	700 120
"	"	"	"	700 tons and up to	1,000 160
"	"	"	"	1,000 tons and up to	1,500 200
"	"	"	"	1,500 and upwards	... 240 "

18. Nothing in the Control of Shipping Act, 1947, shall apply to any vessel registered under this Act.

Act XXVI of 1947 not to apply to vessels registered under this Act.

THE FEDERAL LAWS (REVISION AND DECLARATION) ACT, 1951.

¹ACT No. XXVI OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
10th May, 1951.)

An Act to revise the Federal laws and make certain declarations in this regard in order to enable the same to be printed.

WHEREAS it is expedient, to the end that the Federal laws may be known in their true form, that all the Central Acts and Ordinances of Pakistan as enacted, adapted, modified or amended since the 14th of August 1947 and in force should be printed;

AND WHEREAS certain steps to enable such printing have already been taken by the promulgation of certain Orders of the Governor-General in 1947, 1948 and 1949, and by the enactment of certain amendments and repeals;

AND WHEREAS it is expedient that these steps should now be completed by giving effect to the amendments, repeals and declarations in this Act contained so that by establishing the text of the existing Central Acts and Ordinances of Pakistan the same may now, for the first time and in their true form, be printed in their entirety;

It is hereby enacted as follows:—

1. This Act may be called the Federal Laws (Revision and Declaration) Act, 1951. Short title.

2. The Acts and Ordinances specified in the First Schedule are hereby wholly repealed. Whole repeal of certain Federal laws.

3. The Acts and Ordinances specified in the Second Schedule are hereby repealed to the extent mentioned in the fourth column thereof. Partial repeal of certain Federal laws.

4. The Acts and Ordinances specified in the Third Schedule are hereby amended to the extent and in the manner mentioned in the fourth column thereof. Amendment of certain Federal laws.

5. The Acts specified in the Fourth Schedule are hereby amended to the extent and in the manner mentioned therein. Amendment of certain laws on Federal subjects.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, page 182.

Declaration
regarding
laws not
applicable in
Pakistan.

6. The Acts and Ordinances specified in the Fifth Schedule which were in force in British India on the fourteenth day of August, 1947, are hereby declared to be no part of the laws of Pakistan.

Savings.

7. The repeal by this Act of any Act or Ordinance shall not affect—

- (i) the operation of any Act or Ordinance so repealed or the validity, invalidity, effect or consequences of anything already done or suffered thereunder ; or
- (ii) any right, title, privilege, obligation or liability, acquired, accrued or incurred, thereunder or any release or discharge already granted of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity, already granted, or the proof of any past act or thing ; or
- (iii) any penalty, forfeiture or punishment incurred in respect of any offence committed against any Act or Ordinance so repealed ; or
- (iv) any investigation, legal proceeding or remedy in respect of any such right, title, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Act had not been passed ;

nor shall the repeal by this Act of any Act or Ordinance by which the text of any law was amended by the express omission, insertion or substitution of any matter, affect the continuance of any such amendment in operation at the commencement of this Act, unless a different intention was expressly stated in the Act or Ordinance by which the amendment was made ;

nor shall this Act revive or restore anything not in force or existing at the time of its commencement, or affect any law in which any Act or Ordinance hereby repealed has been applied, incorporated or referred to, or affect any principle or rule of law, or established jurisdiction, form, or cause of pleading, practice, or procedure, or existing usage, customs, privilege, restriction, exemption, office or appointment, notwithstanding that they respectively may have been in any manner affirmed, recognised or derived by, in or from any Act or Ordinance hereby repealed.

Certain
expressions
to be substituted.

8. Wherever the expression "British Baluchistan" or the expression "West Punjab" occurs (otherwise than in a title or preamble or in a citation or description of any enactment) in a Central Act or Ordinance, whether an Act or Ordinance mentioned in the Second or Third Schedule to this Act or not, then, unless that expression is by this Act expressly directed to be otherwise modified,

or to stand unmodified or to be omitted, there shall be substituted for the first expression, the expression "Baluchistan", and for the second expression, the expression "the Punjab".

9. Every reference in any Central Act or Ordinance ordered by this Act to be printed, to any other Central Act or Ordinance in force at the time of the printing shall refer to that Act or Ordinance by its short title as in force at the time of the printing. References to Acts by short title.

10.—(1) The Central Acts and Ordinances of Pakistan as in force immediately after the passing of this Act shall be printed as soon as may be thereafter. Complete edition of Central Acts and Ordinances to be printed.

(2) Notwithstanding anything in this Act every Central Act and Ordinance so to be printed shall be printed subject to the provisions of any law hereafter enacted and in force at the time of the said printing.

(3) Any Central Act passed hereafter and in force before the said printing is completed shall, notwithstanding that it may be otherwise printed, be also printed as part of the said printing.

X of 1950. (4) In the printing of the Estate Duty Act, 1950, the sections and sub-sections thereof shall be numbered and the clauses and sub-clauses thereof shall be lettered in due order, references in any provision of the Act to any other provision thereof being altered where necessary and printed accordingly.

Ord. VI of 1947. 11. For the removal of doubts, the Coal Production Declaration Fund (Repealing) Ordinance, 1947, and the Tea (Export of expiry. Licences) Ordinance, 1947, are hereby declared to have expired on the 25th October, 1947, and the 23rd November, 1947, respectively. Ord. VIII of 1947.

THE FIRST SCHEDULE

ACTS AND ORDINANCES WHOLLY REPEALED

(See section 2)

PART I.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL

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| 1905 | IV The Indian Railway Board Act, 1905. |
| 1920 | XLIX The Auxiliary Force Act, 1920. |

PART II.—ACTS OF THE CENTRAL LEGISLATURE PASSED BEFORE THE FIFTEENTH DAY OF AUGUST, 1947.

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| 1925 | XXXI The Coal Grading Board Act, 1925. |
| 1929 | VIII The Indian Soft Coke Cess Act, 1929. |
| 1932 | XIII The Sugar Industry (Protection) Act, 1932 |

PART II—*contd.*

1936	XXII	The Indian Companies (Amendment) Act, 1936.
1938	VIII	The Indian Tea Control Act, 1938.
1938	XI	The Hindu Women's Rights to Property (Amendment) Act, 1938.
1939	XIII	The Workmen's Compensation (Amendment) Act, 1939.
1939	XIX	The Coal Mines Safety (Stowing) Act, 1939.
1939	XXIII	The Indian Soft Coke Cess Committee (Reconstitution and Incorporation) Act, 1939.
1940	XVIII	The National Service (European British Subjects) Act, 1940.
1940	XXXVII	The War Donations and Investments (Companies) Act, 1940.
1941	II	The Indian Merchandise Marks (Amendment) Act, 1941.
1941	XXII	The Indian Merchant Shipping (Amendment) Act, 1941.
1942	I	The Workmen's Compensation (Amendment) Act, 1942.
1942	II	The Indian Merchant Shipping (Amendment) Act, 1942.
1942	III	The Indus Vessels (Amendment) Act, 1942.
1942	IV	The Indian Medical Council (Amendment) Act, 1942.
1942	V	The Indian Boilers (Amendment) Act, 1942.
1942	VII	The Coffee Market Expansion Act, 1942.
1942	VIII	The Indian Penal Code (Amendment) Act, 1942.
1942	IX	The Cotton Ginning and Pressing Factories (Amendment) Act, 1942.
1942	XIII	The Agricultural Produce (Grading and Marking) Amendment Act, 1942.
1942	XIV	The Indian Tolls (Army) Amendment Act, 1942.
1942	XV	The Cantonments (Amendment) Act, 1942.
1942	XVI	The Indian Limitation (Amendment) Act, 1942.
1942	XVII	The Indian Companies (Amendment) Act, 1942.
1942	XX	The Motor Vehicles (Amendment) Act, 1942.
1942	XXI	The Indian Companies (Second Amendment) Act, 1942.
1942	XXII	The Indian Rubber Control (Temporary Amendment) Act, 1942.
1942	XXIII	The Code of Civil Procedure (Amendment) Act, 1942.
1942	XXIV	The Code of Civil Procedure (Second Amendment) Act, 1942.
1942	XXV	The Repealing and Amending Act, 1942.
1943	I	The Motor Vehicles (Amendment) Act, 1943.
1943	II	The Government Savings Banks (Amendment) Act, 1943.
1943	III	The Indian Railways (Amendment) Act, 1943.
1943	V	The Code of Civil Procedure (Amendment) Act, 1943.
1943	VI	The Indian Penal Code (Amendment) Act, 1943.
1943	VII	The Coffee Market Expansion (Amendment) Act, 1943.
1943	XII	The Indian Tea Control (Amendment) Act, 1943.
1943	XIV	The Indian Army and Air Force (Military Prisons and Detention Barracks) Act, 1943.

PART II—*contd.*

1943	XV	The Trade Marks (Amendment) Act, 1943.
1943	XVI	The Muslim Personal Law (<i>Shariat</i>) Application (Amendment) Act, 1943.
1943	XVII	The Indian Boilers (Amendment) Act, 1943.
1943	XVIII	The Mines Maternity Benefit (Amendment) Act, 1943.
1943	XIX	The Motor Vehicles (Drivers) Amendment Act, 1943.
1943	XX	The Agricultural Produce (Grading and Marking) Amendment Act, 1943.
1943	XXI	The Indian Army and Indian Air Force (Amendment) Act, 1943.
1943	XXII	The Reciprocity (Amendment) Act, 1943.
1943	XXVI	The Criminal Procedure Amendment Act, 1943.
1943	XXVII	The Code of Criminal Procedure (Amendment) Act, 1943.
1943	XXVIII	The Code of Criminal Procedure (Second Amendment) Act, 1943.
1943	XXIX	The Indian Tea Control (Second Amendment) Act, 1943.
1943	XXX	The Indian Companies (Amendment) Act, 1943.
1944	II	The Coffee Market Expansion (Amendment) Act, 1944.
1944	III	The Coal Mines Safety (Stowing) Amendment Act, 1944.
1944	IV	The Indian Companies (Amendment) Act, 1944.
1944	V	The Indian Aircraft (Amendment) Act, 1944.
1944	VI	The Transfer of Property (Amendment) Act, 1944.
1944	VII	The Insurance (Amendment) Act, 1944.
1944	VIII	The Cantonments (Amendment) Act, 1944.
1944	IX	The Indian Merchant Shipping (Amendment) Act, 1944.
1944	XI	The Indian Income-tax (Amendment) Act, 1944.
1944	XIV	The Factories (Amendment) Act, 1944.
1944	XV	The Indian Patents and Designs (Temporary Amendment) Act, 1944.
1944	XVI	The Coffee Market Expansion (Second Amendment) Act, 1944.
1945	I	The Indian Tea Control (Amendment) Act, 1945.
1945	II	The Code of Criminal Procedure (Amendment) Act, 1945.
1945	III	The Factories (Amendment) Act, 1945.
1945	IV	The Indian Companies (Amendment) Act, 1945.
1945	V	The Indian Merchandise Marks (Amendment) Supplementary Act, 1945.
1945	VI	The Repealing and Amending Act, 1945.
1945	VII	The Indian Army (Amendment) Act, 1945.
1945	VIII	The Indian Air Force (Amendment) Act, 1945.
1945	IX	The Indian Patents and Designs (Amendment) Act, 1945.
1945	X	The Mines Maternity Benefit (Amendment) Act, 1945.
1946	I	The Workmen's Compensation (Amendment) Act, 1946.
1946	II	The Indian Mines (Amendment) Act, 1946.
1946	III	The Code of Criminal Procedure (Amendment) Act, 1946.

PART II—*concl'd.*

1946	IV	The Code of Criminal Procedure (Second Amendment) Act, 1946.
1946	VI	The Insurance (Amendment) Act, 1946.
1946	X	The Factories (Amendment) Act, 1946.
1946	XI	The Provident Funds (Amendment) Act, 1946.
1946	XII	The Trade Marks (Amendment) Act, 1946.
1946	XIII	The Indian Companies (Amendment) Act, 1946.
1946	XV	The Indian Coconut Committee (Amendment) Act, 1946.
1946	XVIII	The Indian Soldiers (Litigation) Amendment Act, 1946.
1946	XXII	The Mica Mines Labour Welfare Fund Act, 1946.
1946	XXVI	The Special Tribunals (Supplementary Provisions) Act, 1946.
1946	XXIX	The Indian Tea Control (Amendment) Act, 1946.
1946	XXX	The Registration of Transferred Companies (Amendment) Act, 1946.
1947	I	The Criminal Tribes (Amendment) Act, 1947.
1947	III	The Indian Extradition (Amendment) Act, 1947.
1947	IV	The Coffee Market Expansion (Amendment) Act, 1947.
1947	V	The Factories (Amendment) Act, 1947.
1947	VI	The Indian Railways (Amendment) Act, 1947.
1947	VIII	The Indian Navy (Discipline) (Amendment) Act, 1947.
1947	XXIV	The Rubber (Production and Marketing) Act, 1947.
1947	XXVII	The Motor Vehicles (Amendment) Act, 1947.
1947	XXVIII	The Indian Coinage (Amendment) Act, 1947.
1947	XXXIII	The Negotiable Instruments (Amendment) Act, 1947.
1947	XXXIV	The Indian Boilers (Amendment) Act, 1947.
1947	XXXVI	The Indian Medical Council (Amendment) Act, 1947.

PART III.—ORDINANCES MADE BY THE GOVERNOR GENERAL BEFORE THE
FIFTEENTH DAY OF AUGUST, 1947.

1940	II	The National Service (Technical Personnel) Ordinance, 1940.
1940	IV	The Currency Ordinance, 1940.
1940	VIII	The Civic Guards Ordinance, 1940.
1940	IX	The War Risks (Goods) Insurance Ordinance, 1940.
1940	X	The Indian Forces (Transfer) Ordinance, 1940.
1942	III	The Penalties (Enhancement) Ordinance, 1942.
1942	X	The Civil Pioneer Force Ordinance, 1942.
1942	XII	The War Risks (Factories) Insurance Ordinance, 1942.
1942	XIII	The Women's Auxiliary Corps Ordinance, 1942.
1942	LIII	The Railways (Employment of Military Personnel) Ordinance, 1942.
1942	LIV	The Registration of Transferred Companies Ordinance, 1942.
1942	LVI	The Allied Forces Ordinance, 1942.
1942	LVII	The Allied Forces (United States of America) Ordinance 1942.
1942	LIX	The Legal Tender (Inscribed Notes) Ordinance, 1942.

PART III—*contd.*

1943	XVII	The Royal Indian Navy (Powers of Command) Ordinance, 1943.
1943	XXI	The Parole Centres Ordinance, 1943.
1943	XXII	The Special Police Establishment (War Department) Ordinance, 1943.
1943	XXIV	The Discipline of Seamen Ordinance, 1943.
1943	XXVIII	The Allied Forces (Exemption from Local Taxation) Ordinance, 1943.
1943	XXIX	The Criminal Law Amendment Ordinance, 1943.
1943	XXXI	The Factories (Control of Dismantling) Ordinance, 1943.
1943	XLI	The Sugar (Temporary Excise Duty) Ordinance, 1943.
1943	XLIII	The Penal Deductions Ordinance, 1943.
1944	IV	The Military Safety (Powers of Detention) Ordinance, 1944.
1944	XX	The Service in Ships (Requisition) Ordinance, 1944.
1944	XXX	The Army (Provision for Dependants) Ordinance, 1944.
1944	XXXI	The Indian Army (Second Amendment) Ordinance, 1944.
1944	XXXIV	The Cotton Textiles Fund Ordinance, 1944.
1944	XXXV	The Defence of India (Second Amendment) Ordinance, 1944.
1944	XXXVII	The Civilian Personnel (War Department) Transfer Ordinance, 1944.
1944	L	The Sugar (Temporary Excise Duty) Ordinance, 1944.
1945	I	The Factories (Control of Dismantling) Amendment Ordinance, 1945.
1945	II	The National Service (European British Subjects) Amendment Ordinance, 1945.
1945	IV	The Military Safety (Powers of Detention) Amendment Ordinance, 1945.
1945	IX	The Indian Income-tax (Amendment) Ordinance, 1945.
1945	XI	The Provincial Debt Laws (Temporary Validation) Ordinance, 1945.
1945	XII	The Criminal Law (1943 Amendment) Amending Ordinance, 1945.
1945	XIV	The Criminal Law (1944 Amendment) Amending Ordinance, 1945.
1945	XVI	The Income-tax and Excess Profits Tax (Validity of Notices) Amendment Ordinance, 1945.
1945	XVII	The Mines (Amendment) Ordinance, 1945.
1945	XVIII	The Explosives (Amendment) Ordinance, 1945.
1945	XX	The Excess Profits Tax (Amendment) Ordinance, 1945.
1945	XXI	The Refugee Camps Ordinance, 1945.
1945	XXII	The Criminal Law (1943 Amendment) Second Amending Ordinance, 1945.
1945	XXV	The Defence of India (Amendment) Ordinance, 1945.
1945	XXVII	The Civil Pioneer Force (Amendment) Ordinance, 1945.
1945	XXIX	The War Risks (Factories) Insurance (Termination) Ordinance, 1945.

PART III—*concl'd.*

1945	XXX	The Secunderabad Marriage Validating Ordinance, 1945.
1945	XXXI	The Defence of India (Second Amendment) Ordinance, 1945.
1945	XXXIV	The War Risks (Goods) Insurance (Termination) Ordinance, 1945.
1945	XXXV	The Defence of India (Third Amendment) Ordinance, 1945.
1945	XXXVI	The Armed Forces (Special Powers) Amendment Ordinance, 1945.
1945	XXXVII	The Indian Army (Amendment) Ordinance, 1945.
1945	XXXVIII	The National Service (European British Subjects) Amendment Ordinance, 1945.
1945	XXXIX	The Bills of Exchange Ordinance, 1945.
1945	XL	The Army (Forfeiture of Emoluments) Ordinance, 1945.
1945	XLI	The War Injuries (Compensation Insurance) Amendment Ordinance, 1945.
1945	XLII	The Indian Army and Indian Air Force (Amendment) Ordinance, 1945.
1945	XLIV	The Defence of India Reserve (Disbandment) Ordinance, 1945.
1945	XLV	The Defence of India (Fourth Amendment) Ordinance, 1945.
1945	XLVIII	The Indian Army (Second Amendment) Ordinance, 1945.
1946	I	The Repealing Ordinance, 1946.
1946	II	The Bank Notes (Declaration of Holdings) Ordinance, 1946.
1946	V	The National Service (European British Subjects) Termination of Calling-up Ordinance, 1946.
1946	VI	The Criminal Law Amendment Ordinance, 1946.
1946	VII	The Criminal Law (1943 Amendment) Amending Ordinance, 1946.
1946	VIII	The Allied Forces (China) Ordinance, 1946.
1946	IX	The National Service (Technical Personnel) Amendment Ordinance, 1946.
1946	XI	The Defence of India (Amendment) Ordinance, 1946.
1946	XII	The Defence of India (Second Amendment) Ordinance, 1946.
1946	XIII	The Army (Forfeiture of Emoluments) Amendment Ordinance, 1946.
1946	XIV	The Active Service (Amendment) Ordinance, 1946.
1946	XV	The Royal Indian Navy Commission of Enquiry Ordinance, 1946.
1946	XVI	The Royal Indian Navy Commission of Enquiry (Amendment) Ordinance, 1946.
1946	XX	The Emergency Provisions (Continuance) Ordinance, 1946.
1946	XXIV	The Indian Navy (Discipline) Amendment Ordinance, 1946.
1946	XXVIII	The Railways (Emergency Provisions) Ordinance, 1946.

 PART IV.—ORDINANCE MADE BY THE GOVERNOR GENERAL AFTER THE
FOURTEENTH DAY OF AUGUST, 1947.

1947	VI	The Pakistan Banking (Prevention of Default and Evasion of Liabilities) Amendment Ordinance, 1947.
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THE SECOND SCHEDULE

ACTS AND ORDINANCES PARTIALLY REPEALED

(See section 3)

Year	Number	Short title	Extent of Repeal
1	2	3	4
PART I.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL			
1839	XX	The Bombay Haqqa Prohibition Act, 1839.	In the short title, the word "Bombay".
1841	X	The Registration of Ships Act, 1841.	In the second paragraph of section 15, the words "a Presidency Magistrate or".
1843	V	The Indian Slavery Act, 1843.	In the short title, the word "Indian".
1850	XXXIV	The State Prisoners Act, 1850.	In sub-section (2) of section 1, the words and brackets "(including Berar)".
1856	IX	The Indian Bills of Lading Act, 1856.	In the short title, the word "Indian".
1860	XLV	The Pakistan Penal Code	In section 19, the illustration (c).
1861	XVI	The Stage-Carriages Act, 1861.	In section 2, the words "or by the Commissioner of Police of a Presidency-town". In section 3, the words "or Commissioner of Police" twice occurring.
1863	XX	The Religious Endowments Act, 1863.	In the preamble, the words, brackets and figures commencing with the words and figures "and Regulation VII, 1817" and ending with the words and bracket "and disposal of Escheats)".
1864	XV	The Indian Tolls Act, 1864.	In the short title, the word "Indian".
1866	XXVII	The Indian Trustee Act, 1866.	In section 54, the word "Indian".
1867	XVI	The Acting Judges Act, 1867.	In the preamble, the words "of India in Council".
1871	XXXI	The Indian Weights and Measures of Capacity Act, 1871.	In section 1, the word "Indian".
1872	IX	The Contract Act, 1872	In the first paragraph of section 21, the word "in" in both places where it occurs before the words "any Province".

Year	Number	Short title	Extent of Repeal
1	2	3	4
<i>PART I—contd.</i>			
1872	XV	The Christian Marriage Act, 1872.	In the Third Schedule, the names of cities.
1873	V	The Government Savings Banks Act, 1873.	In section 3, in the definition of "Secretary", the word "by" before the words "the Postmaster-General" where they occur for the second time.
1873	VIII	The Canal and Drainage Act, 1873.	In the proviso to section 10, the words "Northern India" occurring in the title of Act VIII of 1873.
1874	XV	The Laws Local Extent Act, 1874.	In Part V of the Sixth Schedule, the words "Lahaul and Spiti".
1876	IX	The Native Coinage Act, 1876.	In section 6, the words, brackets and figures "the duty (if any) leviable on the same metal under the Indian Coinage Act, 1870, and also".
1878	VI	The Indian Treasure-trove Act, 1878.	In the first paragraph of section 1, the word "Indian".
1879	XVII	The Dekkhan Agriculturists' Relief Act, 1879.	Section 2A.
1879	XVIII	The Legal Practitioners Act, 1879.	In section 3, in the definition of "Subordinate Court", the word "or" occurring before the words and figures "Act No. XI of 1865". In sub-section (4) of section 41, the words "except in the case of the Chief Court of Oudh".
1882	IV	The Transfer of Property Act, 1882.	In the Schedule,— (i) in the entry in the second column of the item relating to Act XXVII of 1866, the word "Indian"; and (ii) the items relating to Acts XX of 1875 and XVIII of 1876.
1887	XI	The Sindh-Pishin Railway Act, 1887.	In section 5, the word "the" in both places where it occurs before the words "Central Government".
1888	VIII	The Indian Tolls Act, 1888.	In the short title, the word "Indian".

Year	Number	Short title	Extent of Repeal
1	2	3	4
PART I— <i>contd.</i>			
1890	IX	The Railways Act, 1890	In section 140,— (i) in the main clause, the words and comma “in the case of a railway administered by the Government or a Native State,” and the words and commas “and, in the case of a railway administered by a railway company, or the Agent in India of the railway company”; and (ii) in clauses (a) and (c), the words “or Agent” in both places where they occur. In section 145,— (i) in sub-section (1), the words and commas “administered by the Government or a Native State, and the Agent in India of a railway administered by a railway company,”; and (ii) In sub-section (2), the words “or Agent”.
1892	VIII	The Lansdowne Bridge Act, 1892.	In the long title, the word “the” before the word “Sind”.
1897	IV	The Indian Fisheries Act, 1897.	In sub-section (1) of section 1, the word “Indian”.
1897	V	The Amending Act, 1897.	In Parts I and II of the Third Schedule, the entries relating to Act VIII of 1874 and Regulation III of 1884, respectively.
1897	X	The General Clauses Act, 1897.	In section 3, clauses (5a), (5b), (5c), (8a), (8b), (8c), (30), (35), and (55a); the words “in the” occurring after the words “Federal Court” in clause (24); and the words and comma “a Presidency,” in clause (43).
1897	XIV	The Indian Short Titles Act, 1897.	In section 1, the word “Indian”. So much of the Schedule as relates to Acts— XXV of 1838, XXX of 1839, V of 1850, VIII of 1852, XXIV of 1855, II and XXII of 1857, IX of 1860, XXXI of 1863, III of 1864,

Year	Number	Short title	Extent of Repeal
1	2	3	4

PART I—*contd.*

1897	XIV	The Indian Short Titles Act, 1897.— <i>contd.</i>	XX and XXVII of 1870, XIX of 1872, XIII of 1875, XVI of 1876, IV of 1877, XII of 1879, VIII of 1882, II of 1883, III and IX of 1885, IV and X of 1886, II and III of 1887, II, XI and XVII of 1888, VIII of 1889, X and XVI of 1890, I, II, III, VII, IX and X of 1891, III of 1894, III, VII and VIII of 1895 and VI, IX and XI of 1896. In the Schedule, the word “Indian” in the entries in column 4 of the items relating to Act— X of 1841, V of 1843, XI of 1850, VIII of 1851, XIII of 1855, IX of 1856, XV of 1864 and VIII of 1888.
1898	V	The Code of Criminal Procedure, 1898.	In section 7,— (i) in sub-section (1), the words and brackets “(excluding the Presidency-towns)” ; and (ii) sub-section (4). In sub-section (1) of section 8, the cross-heading ‘C’ preceding section 9 and in sub-section (1) of section 10 and in sub-section (1) of section 346, the words “outside the Presidency-towns” wherever they occur. In section 29B, the words “or a Chief Presidency Magistrate”. In section 70, the words and commas “or, in a Presidency-town, with his servant residing with him”. Section 184. In section 402A, at the end, the words “in his discretion”. In section 426,— (i) in sub-section (2B), the words from “or has been granted” to “maintenance of a sentence”; and (ii) in sub-section (3), the words “penal servitude”.

Year	Number	Short title	Extent of Repeal
1	2	3	4

PART I—*contd.*

1898	V	The Code of Criminal Procedure, 1898— <i>contd.</i>	In sub-section (4) of section 486, the words and commas “or, in the Presidency-towns, to the High Court”. In section 508A, the words, brackets and figures “sub-sections (1) and (1A) of section 504”. Section 542. Section 553. In section 557, the words “Presidency-town or”. In the Schedule II,— (i) the second paragraph of the Explanatory Note preceding the table; and (ii) entries relating to sections 490 and 492.
1899	II	The Stamp Act, 1899	In section 72, the words “or Presidency-town” in both places where they occur. In Schedule I,— (i) clause (c) of Exemptions from Article No. 5; and (ii) in Article No. 48, clause (b) in the first column and the entry “Eight annas” against it in the second column.
1902	IV	The Indian Tramways Act, 1902.	In sub-section (1) of section 1, the word “Indian”.
1904	VIII	The Universities Act ...	In sub-section (2) of section 6, the words “In the case of the Universities of the Punjab”.
1908	V	The Code of Civil Procedure, 1908.	In section 79,— (i) the words and commas “Subject to the provisions of sections 179 and 185 of the Government of India Act, 1935,”; and (ii) in clause (a), the word “the” occurring before the words “Federation of Pakistan”.

Year	Number	Short title	Extent of Repeal
1	2	3	4

PART I—*concl'd.*

1908	IX	The Limitation Act, 1908	In the First Schedule,— (i) clause (2) of Article 11 of the First Division ; and (ii) the brackets and words “(other than a Presidency Small Cause Court)” in Article 161 of the Third Division.
1908	XIV	The Criminal Law Amendment Act, 1908.	In sub-section (2) of section 1, the word “the” before the words “East Bengal”. In sub-sections (4) and (5) of section 17B, the words “or Commissioner of Police” in both places where they occur.
1910	IX	The Electricity Act, 1910	In sub-section (1) of section 30, the words and commas “or, in a Presidency-town, to the Commissioner of Police,”.
1912	VII	The East Bengal Laws Act.	In the preamble, the third paragraph. In the third paragraph of Part I of Schedule A, the words and comma “Jalpaiguri, Malda”.
1918	XX	The Indian Companies (Foreign Interests) Act, 1918.	In section 1, the word “Indian”.
1920	X	The Securities Act, 1920	The <i>Explanation</i> to section 12.
1920	XV	The Pakistan Red Cross Society Act.	In sub-section (1) of section 1, the words and figures “as adapted by the Pakistan Red Cross Society Order, 1947”. In section 8, the proviso to sub-section (1).
1920	XXIII	The Indian Rifles Act, 1920.	In section 1, the word “Indian”.

Year	Number	Short title	Extent of Repeal
1	2	3	4
PART II.—ACTS OF THE CENTRAL LEGISLATURE PASSED BEFORE THE FIFTEENTH DAY OF AUGUST, 1947.			
1922	XI	The Income-tax Act, 1922.	In the proviso to the second paragraph of sub-section (1) of section 23A, the word "Indian".
1923	XIV	The Cotton Cess Act, 1923.	In the long title and preamble, the words "in India" in both places where they occur. In section 2, the clause (g).
1923	XIX	The Indian Official Secrets Act, 1923.	In sub-section (1) of section 1, the word "Indian".
1923	XXI	The Merchant Shipping Act, 1923.	In clause (b) of sub-section (1) of section 147, the words "of His Majesty".
1925	XXIV	The Sikh Gurdwaras (Supplementary) Act, 1925.	In the preamble, the words and comma "by Legislation in the Indian Legislature,".
1926	XXXVIII	The Bar Councils Act, 1926.	In sub-section (3) of section 4, the words "in each case", and also the words "in the High Court" occurring before the words "in the exercise of its original Jurisdiction".
1930	III	The Indian Sale of Goods Act, 1930.	In sub-section (1) of section 1, the word "Indian".
1932	XXIII	The Criminal Law Amendment Act, 1932.	In clause (i) of section 9, the words "Presidency Magistrate or".
1933	VII	The Indian Finance Act, 1933.	In sub-section (1) of section 1, the word "Indian".
1934	IX	The Indian Finance Act, 1934.	In sub-section (1) of section 1, the word "Indian".
1934	XIX	The Indian Dock Labourers Act, 1934.	In sub-section (1) of section 1, the word "Indian".
1934	XXV	The Factories Act, 1934	In sub-section (2) of section 74, the words "of a Presidency Magistrate or".

Year	Number	Short title	Extent of Repeal
1	2	3	4
PART II— <i>contd.</i>			
1934	XXXII	The Tariff Act, 1934	In section XIX of the First Schedule, in clause (b) of the entry in the second column of item No. 80 (3), the words "the Indian Auxiliary Force or".
1937	XXVI	The Muslim Personal Law (<i>Shariat</i>) Application Act, 1937.	In section 6, clauses (2), (4), (6) and (7).
1939	IV	The Motor Vehicles Act, 1939.	In sub-section (4) of section 75 the brackets and words "(or, in the Presidency-towns, the Chief Presidency Magistrate or the Commissioner of Police)".
1939	IX	The Standards of Weight Act, 1939.	In sub-section (3) of section 4, the words "or foreign settlement situated in India".
1940	XVI	The Indian Finance Act, 1940.	In sub-section (1) of section 1, the word "Indian". In the proviso to sub-section (1) of section 7, the words and comma "other than the Sanikatta Salt-owners' Society in the Bombay Presidency,".
1940	XXIII	The Drugs Act, 1940	In section 6,— (a) the word "prescribed" where it first occurs ; and (b) the words "as the case may be" at the end of the proviso to sub-section (1).
1941	VII	The Indian Finance Act, 1941.	In sub-section (1) of section 1, the word "Indian". In section 7, in the proviso to clause (b) of sub-section (1), the words and comma "other than the Sanikatta Saltowners' Society in the Bombay Presidency,".
1942	XII	The Indian Finance Act, 1942.	In sub-section (1) of section 1, the word "Indian". In paragraph C of Part II of Schedule II, the words and comma "other than the Sanikatta Salt-owners' Society in the Bombay Presidency,".

Year	Number	Short title	Extent of Repeal
1	2	3	4
PART II— <i>concl'd.</i>			
1943	VIII	The Indian Finance Act, 1943.	In sub-section (1) of section 1, the word "Indian". In paragraph C of Part II of Schedule II, the words and comma "other than the Sanikatta Saltowners' Society in the Bombay Presidency,"
1944	I	The Central Excises and Salt Act, 1944.	In the Third Schedule, the entries relating to Madras Act IV of 1889.
1944	X	The Coconut Committee Act, 1944.	In clause (i) of sub-section (2) of section 9, the word "in" after the word "coconuts".
1944	XVIII	The Public Debt (Central Government) Act, 1944.	The <i>Explanation</i> to section 7.
1946	VII	The Indian Finance Act, 1946.	In sub-section (1) of section 1, the word "Indian". In paragraph C of Part II of the Schedule, the words and comma "other than the Sanikatta Saltowners' Society in the Bombay Presidency,".
1946	XX	The Industrial Employment (Standing Orders) Act, 1946.	In section 1, the proviso to sub-section (3).
1947	XV	The Armed Forces (Emergency Duties) Act, 1947.	Section 3.
1947	XX	The Indian Finance Act, 1947.	In sub-section (1) of section 1, the word "Indian". In paragraph C of Part II of the Schedule, the words and comma "other than the Sanikatta Saltowners' Society in the Bombay Presidency,".
1947	XXXI	The Antiquities (Export Control) Act, 1947.	In sub-section (2) of section 5, the words "a Presidency Magistrate or".

Year	Number	Short title	Extent of Repeal
1	2	3	4

PART III.—ACTS OF THE CENTRAL LEGISLATURE PASSED AFTER THE FOURTEENTH DAY OF AUGUST, 1947.

1948	IV	The Income-tax, Excess Profits Tax and Business Profits Tax (Amendment), Act, 1948.	In clause (a) of section 12, the word "Indian" before the words "Companies Act".
1948	XV	The Indian Merchant Shipping (Amendment) Act, 1948.	In sub-section (1) of section 1, the word "Indian".
1948	XXIII	The Indian Income-tax (Second Amendment) Act, 1948.	In sub-section (1) of section 1, the word "Indian".
1948	XXX	The Cotton Cess (Amendment) Act, 1948.	Section 10.
1949	V	The Indian Partnership (Amendment) Act, 1949.	In sub-section (1) of section 1, the word "Indian".
1950	II	The Criminal Law (Extinction of Discriminatory Privileges) Act, 1949.	In the fourth column of the Schedule, the entry relating to section 370 of the Code of Criminal Procedure, 1898 (<i>V of 1898</i>).
1950	XV	The Control of Shipping (Amendment) Act, 1950.	In sections 2 and 3, the words "of Pakistan" occurring after the word "Provinces" three times.

PART IV.—ACTS MADE BY THE GOVERNOR GENERAL BEFORE THE FIFTEENTH DAY OF AUGUST, 1947.

1935	—	The Indian Finance Act, 1935.	In sub-section (1) of section 1, the word "Indian".
1936	—	The Indian Finance Act, 1936.	In sub-section (1) of section 1, the word "Indian".
1937	—	The Indian Finance Act, 1937.	In sub-section (1) of section 1, the word "Indian".
1938	—	The Indian Finance Act, 1938.	In sub-section (1) of section 1, the word "Indian".
1939	—	The Indian Finance Act, 1939.	In sub-section (1) of section 1, the word "Indian".
1940	—	The Indian Finance (No. 2) Act, 1940.	In sub-section (1) of section 1, the word "Indian".
1944	—	The Indian Finance Act, 1944.	In sub-section (1) of section 1, the word "Indian".

Year	Number	Short title	Extent of Repeal
1	2	3	4

PART IV—*contd.*

1945	—	The Indian Finance Act, 1945.	In sub-section (1) of section 1, the word "Indian". In paragraph C of Part II of the Second Schedule, the words and comma "other than the Sanikatta Saltowners' Society in the Bombay Presidency,".
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PART V.—ORDINANCES MADE BY THE GOVERNOR GENERAL BEFORE THE FIFTEENTH DAY OF AUGUST, 1947.

1943	I	The Enemy Agents Ordinance, 1943.	In sub-section (2) of section 9, the words, brackets and figures "whethersuch submission was made before or is made after the commencement of the Enemy Agents (Amendment) Ordinance, 1943 (<i>XV of 1943</i>)" and the words "and shall be deemed always to have been empowered to".
1943	VI	The Indian Standard Time (Interpretation of References) Ordinance, 1943.	Throughout the Ordinance, the word "Indian" wherever it occurs.
1943	XIX	The Special Criminal Courts (Repeal) Ordinance, 1943.	In section 3,— (a) the proviso to sub-section (1) ; (b) the words, brackets and figures "or in respect of a sentence passed in a Presidency-town, on the date of the commencement of the Special Criminal Courts (Repeal) Amendment Ordinance, 1943 (<i>XXVI of 1943</i>)" in sub-section (2) ; and (c) the first proviso to sub-section (2). In section 4, the words "in a Presidency-town to the Chief Presidency Magistrate, or elsewhere".

PART VI.—ORDINANCES MADE BY THE GOVERNOR GENERAL AFTER THE FOURTEENTH DAY OF AUGUST, 1947.

1947	I	The Banking Companies (Pakistan) Ordinance, 1947.	In section 7, the words "a Presidency Magistrate or".
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Year	Number	Short title	Extent of Repeal
1	2	3	4
PART VI— <i>contd.</i>			
1947	III	The Riot and Civil Com-motions Risks Insurance Ordinance, 1947.	In sub-section (1) of section 9, the words, brackets and figures “with-out prejudice to the provisions of sub-section (2) of section 8”.
1948	II	The Indian Railways Act (Amendment) Ordinance, 1948.	In sub-section (1) of section 1, the word “Indian”.
1948	IX	The Indian Income-tax (Amendment) Ordinance, 1948.	In sub-section (1) of section 1, the word “Indian”.
1948	XVI	The Central Excises and Salt and the Indian Tariff Acts (Amend-ment) Ordinance, 1948.	In sub-section (1) of section 1, the word “Indian”.
1948	XXI	The Indian Tariff Act (Second Amendment) Ordinance, 1948.	In sub-section (1) of section 1, the word “Indian” and clause (a) of section 2.
1948	XXIV	The Indian Companies (Amendment) Ordinance, 1948.	In sub-section (1) of section 1, the word “Indian”.
1949	XIII	The Karachi Joint Water Board Ordinance, 1949.	In sub-section (2) of section 35, the words commencing with the words “shall be punishable” and ending with the words “with fine or with both”.

THE THIRD SCHEDULE

AMENDMENTS

(See section 4)

Year	Number	Short title	Amendments
1	2	3	4
PART I.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL			
1838	XIX	The Coasting Vessels Act, 1838.	In the table given in section 10, for the figures and words “20 such Khandis” and “100 such Khandis” the figures and words “5 tons” and “25 tons” respectively, shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART I—*contd.*

1841	X	The Registration of Ships Act, 1841.	In section 24, for the words "Indian State" twice occurring the words "Acceding State" and for the words "Indian States" the words "Acceding States" shall be substituted.
1850	XI	The Registration of Ships Act (1841) Amendment Act, 1850.	In sections 2 and 3, for the words "Indian State" wherever occurring the words "Acceding State" shall be substituted.
1860	XLV	The Pakistan Penal Code	In section 4,— (i) In illustration (a), for the words "a Coolie, who is a native Indian subject" the words "a Pakistan subject" shall be substituted ; (ii) In illustration (c), for the word "Jhind" the word "Bahawalpur" shall be substituted ; and (iii) In illustration (d), for the word "Indore" the word "Bahawalpur" and for the word "Bombay" the word "Lahore" shall be substituted. In section 20, the illustration shall be substituted by the following namely :— <i>" Illustration</i> A panchayat acting under the Punjab Village Panchayat Act, 1939 (<i>XI of 1939</i>), having power to try and determine suits is a Court of Justice." In section 121, in illustration (b), for the word "India" the word "Pakistan" shall be substituted. In section 174, in illustration (a) for the words "Supreme Court at Calcutta" the words "High Court of East Bengal" shall be substituted. In section 405, in illustration (c), for the word "Calcutta" the word "Dacca" and for the word "Delhi" the word "Lahore" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4
PART I— <i>contd.</i>			
1860	XLV	The Pakistan Penal Code.— <i>contd.</i>	In section 415, for the word "of" occurring after the words "and, which act" the word "or" shall be substituted.
1861	V	The Police Act, 1861 ...	In the second paragraph of section 21, for the words "the Presidency of Fort William in Bengal" the words "East Bengal" shall be substituted.
1863	XX	The Religious Endowments Act, 1863.	In the preamble, for the words "the Presidency of Fort William in Bengal, and the Presidency of Fort Saint George" the words "East Bengal" shall be substituted. In section 3, for the words "either of the Regulations" the words "the Regulation" shall be substituted. In the first paragraph of section 6, and in the second paragraph of section 7, for the word "Regulations" the word "Regulation" shall be substituted.
1866	XXVIII	The Trustees' and Mortgagees' Powers Act, 1866.	In the proviso to section 5, for the word "India" the word "Pakistan" shall be substituted.
1869	IV	The Divorce Act ...	In sub-clause (b) of clause (2) of section 3, and in the second paragraph of section 17A, for the words "Indian State" the words "Acceding State" shall be substituted.
1869	XIV	The Sind Civil Courts Act.	In the long title and preamble, for the words "the Presidency of Bombay" the word "Sind" shall be substituted.
1870	V	The Unclaimed Deposits Act, 1870.	In the preamble, for the words "Government of India" the words "Government of Pakistan" and for the words "the High Courts of Judicature at Fort William, Madras and Bombay" the words "the High Court of East Bengal" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART I—*contd.*

1871	XXIII	The Pensions Act, 1871 ...	In section 4, for the word "British" the words "Central Government or any Provincial Government" shall be substituted. In section 7, for the words "the territories respectively subject to the Lieutenant-Governors of Bengal and the North-Western Provinces" the words "the territories subject to the Lieutenant-Governor of Bengal" shall be substituted.
1872	IX	The Contract Act, 1872	In the second paragraph of section 21, for the word "India" the word "Pakistan" shall be substituted.
1872	XV	The Christian Marriage Act, 1872.	In the second paragraph of section 1, section 56 and section 84, for the words "Indian States" the words "Acceding States" shall be substituted. In section 6, the first paragraphs of sections 8, 9 and 47, the third paragraph of section 48, sub-section (2) of section 62, and sub-section (1) of section 86, for the words "Indian State" the words "Acceding State" shall be substituted. In clause (b) of section 18, and in sections 19 and 27, for the word "India" the word "Pakistan" shall be substituted.
1873	X	The Oaths Act, 1873 ...	In the second paragraph of section 1, for the words "Indian States" the words "Acceding States" shall be substituted.
1874	III	The Married Women's Property Act, 1874.	In the first paragraph of section 2, for the words "Indian States" the words "Acceding States" shall be substituted.
1875	IX	The Majority Act, 1875	In the second paragraph of section 1, for the words "Indian States" the words "Acceding States" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4
PART I.— <i>contd.</i>			
1875	IX	The Majority Act, 1875— <i>contd.</i>	In section 4,— (i) in illustration (a), for the words “British India” and “British Indian” the word “Pakistan”, and for the figures “1850” and “1871” the figures “1949” and “1970” respectively, shall be substituted; (ii) in illustration (b), for the words “British India” and “British Indian” the word “Pakistan”, and for the figures “1852” and “1873” the figures “1948” and “1969” respectively, shall be substituted; and (iii) in illustration (c), for the figures “1850” and “1868” the figures “1948” and “1966” respectively, and for the words “British India” the word “Pakistan”, shall be substituted.
1876	IX	The Native Coinage Act, 1876.	In the long title and preamble for the words “Government of India” the words “Government of Pakistan”, and for the words “Indian States” in both places where they occur the words “Acceding States”, shall be substituted. In section 3, clauses (c) and (e) of section 4 and in section 7, for the words “Indian State” the words “Acceding State” shall be substituted.
1876	X	The Sind Revenue Jurisdiction Act, 1876.	In the third paragraph of the preamble, for the words “Bombay Civil Courts Act” the words “Sind Civil Courts Act” shall be substituted. For section 1, the following shall be substituted, namely:— “1. <i>Short title and extent.</i> (1) This Act may be called the Sind Revenue Jurisdiction Act, 1876.

Year	Number	Short title	Amendments
1	2	3	4
PART I— <i>contd.</i>			
1876	X	The Sind Revenue Jurisdiction Act, 1876— <i>contd.</i>	(2) It extends to the Province of Sind and the Capital of the Federation, but not so as to affect any of the provisions of Act XXIII of 1871".
1876	XIX	The Dramatic Performances Act, 1876.	In clause (b) of section 3, for the words "British India or British Burma" the word "Pakistan" shall be substituted.
1878	VIII	The Sea Customs Act, 1878.	In section 18, in sub-clauses (i) and (iii) of clause (i) and sub-clause (iii) of clause (j), and in section 48, for the word "India" the word "Pakistan" shall be substituted. In sub-section (6) of section 19A, for the words "Gazette of India" the words "Gazette of Pakistan" shall be substituted. In the second proviso to section 103, for the word "months" the word "month" shall be substituted.
1878	XI	The Arms Act, 1878 ...	In clause (b) of the second paragraph of section 1, for the words, commas and figures "a member of either of the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920" the words, comma and figures "a member of the force constituted by the Pakistan Territorial Force Act, 1950" shall be substituted.
1879	XVII	The Dekkhan Agriculturists' Relief Act, 1879.	In section 5, for the words and figures "Bombay Civil Courts Act, 1869" the words "Sind Civil Courts Act" shall be substituted.
1879	XVIII	The Legal Practitioners Act, 1879.	In the third paragraph of section 1 for the words commencing with the words "The rest of this Act" and ending with the words "the Central Provinces and Assam" the words "The rest of this Act extends in the first instance only to East Bengal and to the Punjab" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4
PART I— <i>contd.</i>			
1881	XXVI	The Negotiable Instruments Act, 1881.	In section 137, before the words "foreign country" the words "Acceding State or" shall be substituted.
1882	II	The Trusts Act, 1882 ...	In clause (e) of section 20, for the words "the Provinces and the Capital of the Federation" the words "a Province" shall be substituted.
1883	XX	The West Punjab District Boards Act, 1883.	In sub-section (1) of section 1, for the words "the West Punjab" the words "the Punjab" shall be substituted. In section 69, for the words "the Presidency of Fort William in Bengal" the words "East Bengal" shall be substituted.
1884	IV	The Explosives Act, 1884	In sub-section (1) of section 9A, for the words "Chief Inspector of Explosives in India" the words "Chief Inspector of Explosives in Pakistan" shall be substituted.
1885	XIII	The Telegraph Act, 1885	In the long title, for the word "India" the word "Pakistan" shall be substituted.
1886	VI	The Births, Deaths and Marriages Registration Act, 1886.	In section 2, in clause (b) of sub-section (1) of section 11 and sub-section (1) of section 36, for the words "Indian States" the words "Acceding States" shall be substituted. In section 13, in sub-section (2) of section 24 and section 32, for the words "any Indian State" wherever occurring, the words "any Acceding State" shall be substituted.
1887	XII	The East Bengal Civil Courts Act.	In the long title and preamble, for the words and comma "Bengal, the North-Western Provinces and Assam" the words "East Bengal" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4
PART I— <i>contd.</i>			
1888	VIII	The Indian Tolls Act, 1888.	In sub-section (1) of section 2, for the words and comma "the territories administered by the Governor of Fort St. George in Council, and the Lieutenant-Governors of Bengal and the North-Western Provinces" the words, commas and figures "such of the territories administered on the 4th of July, 1851, by the Lieutenant-Governor of Bengal as on the fifteenth of August, 1947, formed part of East Bengal" shall be substituted.
1890	I	The Revenue Recovery Act, 1890.	For sub-section (2) of section 1, the following shall be substituted, namely:— “(2) It extends to all the Provinces and the Capital of the Federation.”.
1897	III	The Epidemic Diseases Act, 1897.	In section 2A, for the word "India" the word "Pakistan" shall be substituted.
1897	XIV	The Indian Short Titles Act, 1897.	In the Schedule,— (i) for the entry in the third column of the item relating to Act XXV of 1866, the following shall be substituted, namely :— “Providing for the transfer to the Government of Pakistan certain securities and moneys deposited in the High Court of East Bengal.”; and (ii) in the entry in third column of the item relating to Act V of 1870, for the words "High Courts at the Presidency-towns" the words "High Court of East Bengal" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART I—*contd.*

1898 V The Code of Criminal Procedure, 1898. In clause *Sixthly* of sub-section (1) of section 54, for the words "Indian States Forces" the words "forces of an Acceding State" shall be substituted.

In sub-section (4) of section 411A, for the words "His Majesty in Council" in both places where they occur, the words "the Federal Court" shall be substituted.

In sub-section (2B) of section 426, for the words "His Majesty in Council" where they first occur the words "the Federal Court" shall be substituted.

In clause (b) of sub-section (1) of section 565, for the words "Indian State" the words "Acceding State" shall be substituted.

In Schedule II after the entries relating to section 123, the following new entries shall be inserted serially across the columns namely:—

"123A	Condemnation of the State and advocacy of abolition of its sovereignty.	Ditto	Ditto	Ditto	Ditto	Rigorous imprisonment for 10 years, and fine.	Ditto."
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Year	Number	Short title	Amendments
1	2	3	4

PART I—*contd.*

1898	VI	The Post Office Act, 1898	In sub-section (2) of section 1 after the word "Baluchistan" the words "and to the Capital of the Federation" shall be inserted. In the <i>Explanation</i> to section 27 and in sub-section (1) of section 36 and in sub-section (1) of section 46, for the words "Indian State" wherever they occur the words "Acceding State" shall be substituted.
1899	II	The Stamp Act, 1899 ...	In sub-section (2) of section 57, section 58, sub-section (1) of section 59 and sub-section (1) of section 60, for the comma between the words "High Court" and "Chief Court" the word "or" shall be substituted.
1900	III	The Prisoners Act, 1900	In clauses (b) and (c) of sub-section (1) of section 15, sub-section (3) of section 18 and sub-section (4) of section 30, for the words "Indian State" the words "Acceding State" shall be substituted. In sub-section (1) of section 29, for the word "India" at the end, the word "Pakistan" shall be substituted.
1903	XIV	The Foreign Marriage Act, 1903.	In sub-section 3 of section 1 and sub-section (4) of section 2, for the words "Indian State" the words "Acceding State" shall be substituted.
1903	XV	The Extradition Act, 1903	In the First Schedule, for the words "Indian States Forces" the word "forces of an Acceding State" shall be substituted.
1908	V	The Code of Civil Procedure, 1908.	In section 44, for the words "Indian State" the words "Acceding State" shall be substituted. In the heading above section 83, for the words "Indian States" the words "Acceding States" shall be substituted. In sub-section (4) of section 86, for the words "Gazette of India" the words "official Gazette" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART I—*contd.*

1908	V	The Code of Civil Procedure, 1908— <i>contd.</i>	In the First Schedule,— (i) in sub-rule (2) of rule 7 of Order XLV for the word “India” the word “Pakistan” shall be substituted; (ii) in Appendix A,— (a) under heading (2) (which relates to the description of parties in particular cases) for the words “Secretary of State or the Federation of India” the words “The Federation of Pakistan” shall be substituted ; (b) under the heading (3) (which relates to complaints), in paragraph 2 of form No. 30 and in paragraph 1 of form No. 36, for the words “southward”, “Chowringhee”, “Calcutta” and “Middleton Street” where they occur the words “westward”, “Bunder Road”, “Karachi” and “Wood Street”, respectively, shall be substituted, and (c) under the heading (4) (which relates to written statements), in forms No. 5 and 7, for the words “Calcutta”, “Middleton Street” and “Delhi”, wherever they occur, the words “Karachi”, “Wood Street” and “Lahore”, respectively, shall be substituted.
1908	IX	The Limitation Act, 1908	In clause (6) of section 2, for the words “British India” the words and comma “Pakistan, but includes an Acceding State” shall be substituted.
1912	II	The Co-operative Societies Act, 1912.	In section 21, for the words, comma and figures “the Presidency-towns Insolvency Act, 1909” the words and brackets “the Insolvency (Capital of the Federation and Dacca) Act” shall be substituted

Year	Number	Short title	Amendments
1	2	3	4

PART I—*contd.*

1912 IV The Lunacy Act, 1912 ... In sub-section (1) of section 6, for the word "India" the word "Pakistan" shall be substituted.

1912 VII The East Bengal Laws Act. In section 3, for the words "the Provinces and the Capital of the Federation" the words "British India" shall be substituted.

In Schedule A,—

- (i) in the heading, for the word "Sylhet" the words "the district of Sylhet" shall be substituted;
- (ii) the words "but * excepting the district of Sylhet" shall be added at the end of the first sub-paragraph; and
- (iii) for the words "and Rangpur" at the end of the third sub-paragraph the words "Rangpur, Kushtia, Jessore and Khulna" shall be substituted.

In Schedule C, for the word "Sylhet" the words "The district of Sylhet" shall be substituted.

1913 III The Administrator General's Act, 1913. In clause (2) of section 2, for the article "an" before the words "Pakistani Christian" the article "a" shall be substituted.

1913 VII The Companies Act, In clause (e) of sub-section (2A) of section 144, for the word "India" the word "Pakistan" and for the word "an" before the words "Pakistan Council of Accountancy" the word "a" shall be substituted.

In sub-section (3) of section 145, for the word "India" the word "Pakistan" shall be substituted.

In section 270, for the word "an" occurring before the words "Pakistan law" the word "a" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4
PART I—<i>contd.</i>			
1913	VII	The Companies Act, 1913— <i>contd.</i>	In sub-section (3) of section 277K and sub-section (3) of section 277L, for the words and figures "clause (e) of section 2 of the Reserve Bank of India Act, 1934" the words and figures "the State Bank of Pakistan Order, 1948" shall be substituted.
1914	II	The Destructive Insects and Pests Act, 1914.	In section 4C and the proviso to that section, and in section 5A, for the words "Indian State", wherever they occur, the words "Acceding State" shall be substituted.
1915	XIII	The North-West Frontier Constabulary Act, 1915.	For clause (a) of sub-section (3) of section 8, the following shall be substituted, namely:— "(a) an officer of the Pakistan Army, other than a junior commissioned officer, or,".
1918	XX	The Indian Companies (Foreign Interests) Act, 1918.	In clause (a) of sub-section (1) of section 2, for the words "a State in India" the words "an Acceding State or a non-Acceding State" shall be substituted.
1920	XV	The Pakistan Red Cross Society Act.	In the long title, for the words "an Indian" the words "a Pakistan" shall be substituted.
1920	XXIII	The Indian Rifles Act, 1920.	In section 2, for the word "India" the word "Pakistan" shall be substituted.

**PART II.—ACTS OF THE CENTRAL LEGISLATURE PASSED BEFORE THE
FIFTEENTH DAY OF AUGUST, 1947.**

1922	VII	The Emigration Act, 1922.	In clause (c) of sub-section (1) of section 16, for the word "India" the word "Pakistan" shall be substituted. In clause (1) of sub-section (2) of section 24, at the end for the words "to India" the words "to Pakistan" shall be substituted. In clause (i) of section 31, for the word "a" before the words "Acceding State" the word "an" shall be substituted.
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Year	Number	Short title	Amendments
1	2	3	4
PART II— <i>contd.</i>			
1922	XI	The Income-tax Act, 1922	In sub-section (4) of section 10 and sub-section (2) of section 58K, for the words, brackets and figures "clause (xii)" three times occurring the words, brackets and figures "clause (xv)" shall be substituted. In clauses (e) and (f) of sub-section (3) of section 54, for the words "Auditor General of India" the words "Auditor General of Pakistan" shall be substituted. In the Schedule, in the proviso to clause (b) of rule 3 and in rule 6, for the words "Superintendent of Insurance" in both places where they occur, the words "Controller of Insurance" shall be substituted.
1923	IV	The Mines Act, 1923 ...	In sub-section (2) of section 4, for the word "India" the word "Pakistan" shall be substituted.
1923	V	The Boilers Act, 1923 ...	In section 28 and sub-section (2) of section 31, for the words "Gazette of India" the words "Gazette of Pakistan" shall be substituted.
1923	VI	The Cantonments (House-Accommodation) Act, 1923.	In clause (c) of sub-section (1) of section 2, for the word "India" the word "Pakistan" shall be substituted.
1923	VII	The Naval Armament Act, 1923.	In clause (b) of section 3, for the word "a" occurring before the words "Acceding State or non-Acceding State" the word "an" shall be substituted.
1923	XIX	The Indian Official Secrets Act, 1923.	In clause (a) of sub-section (2) of section 1, for the words "any Indian State" the words "any Acceding State" shall be substituted.
1923	XXI	The Merchant Shipping Act, 1923.	In section 83, sub-section (2) of section 89 and clause (a) of section 279, for the word "India" the word "Pakistan" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4
PART II— <i>contd.</i>			
1923	XXI	The Merchant Shipping Act, 1923— <i>contd.</i>	In clause (a) of sub-section (1) of section 147, for the words "Indian State" the words "Acceding State" shall be substituted. In sub-section (1) of section 85, clause (i) of section 100 and sub-section (1) of section 118, for the word "and" occurring between the words "the Provinces" and "the Capital of the Federation" the word "or" shall be substituted.
1925	XIX	The Provident Funds Act, 1925.	In sub-clause (i) of clause (f) of section 2, for the words "an Indian law" the words "a Pakistan law" shall be substituted.
1925	XXIV	The Sikh Gurdwaras (Supplementary) Act, 1925.	In section 2, for the words "Indian Legislature" the words "Central Legislature" shall be substituted.
1925	XXXIX	The Succession Act, 1925	In section 10, in <i>illustrations</i> (vi) and (vii), for the word "Calcutta" occurring in four places the word "Dacca" shall be substituted. In sub-clause (ii) of clause (a) of sub-section (5) of section 33A and in sub-section (2) of section 269, for the word "an" occurring before the words "Pakistan Christian" the word "a" shall be substituted. In section 380, for the words "The said proviso" in the third paragraph, the word "It" shall be substituted.
1926	VII	The Naturalization Act, 1926.	In clause (b) of sub-section (1) of section 3, for the word "an" occurring before the words "Pakistan British subject" the word "a" shall be substituted.
1926	XXXVIII	The Bar Councils Act, 1926.	In sub-section (3) of section 4, for the words "Bar Councils" the words "Bar Council" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART II—*contd.*

1933	VII	The Indian Finance Act, 1933.	In sub-section (2) of section 1, for the words "British Baluchistan and the Sonthal Parganas" the word "Baluchistan" shall be substituted.
1933	XXVII	The Pakistan Medical Council Act, 1933.	In clause (a) of section 2, for the word "an" occurring before the words "Pakistan law" the word "a" shall be substituted. In clause (c) of sub-section (1) of section 3, for the words "British Indian" the word "Pakistan" shall be substituted.
1934	IX	The Indian Finance Act, 1934.	In sub-section (2) of section 1, for the words "British Baluchistan and the Sonthal Parganas" the word "Baluchistan" shall be substituted.
1934	XXII	The Aircraft Act, 1934	For section 4, the following shall be substituted, namely :— <i>"Power of Central Government to make rules to implement the Convention of 1944.—4. The Central Government may, by notification in the official Gazette, make such rules as appear to it to be necessary for carrying out the provisions of the Convention on International Civil Aviation signed in Chicago on the 7th December, 1944 with an Additional Protocol signed at Montreal on the 27th May, 1947 and any amendment which may be made thereto under the provision of Article 94 thereof"</i> . In sub-section (1) of section 8B, for the word "India" the word "Pakistan" shall be substituted.
1934	XXXII	The Tariff Act, 1934	In section II of the First Schedule, in the entry in the second column of item No. 12(1), for the word "India" the word "Pakistan" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART II—*contd.*

1934	XXXII	The Tariff Act, 1934— <i>contd.</i>	In section XIV of the First Schedule, in the entry in the second column of item 62, for the words "Government of India" the words "Government of Pakistan" shall be substituted. In section XV of the First Schedule in the entry in the second column of each of the items No. 63 (27) and 74 (2), for the word "India" the word "Pakistan" shall be substituted. In section XIX of the First Schedule, in the entry in the second column of item No. 80(3), in clause (d) for the word "India" the word "Pakistan" and in clause (e) for the word "Indian" the word "Pakistan" shall be substituted. In section XX of the First Schedule, in the proviso to the entry in the second column of item No. 85 (1), for the words, brackets and figures "the Mechanical Lighters (Excise Duty) Act, 1934" the words and figures "Central Excises and Salt Act, 1944" shall be substituted.
1934	XXXIV	The Pakistan Navy (Discipline) Act, 1934.	In section 54 and clause (12) of section 58, for the word "India", wherever occurring, the word "Pakistan" shall be substituted.
1936	IV	The Payment of Wages Act, 1936.	In sub-section (2) of section 7, for the words "Indian Post Office" at the end of clause (j), the words "Pakistan Post Office" shall be substituted.
1938	IV	The Insurance Act, 1938	In sub-section (1) of section 20, sub-section (2) of section 21, sub-section (1) of section 23, sub-sections (2) and (5) of section 33, sub-section (2) of section 87 and in section 110-B, for the word "Superintendent", wherever occurring, the word "Controller" shall be substituted.

Year	Number	Short title	Amendments
	2	3	4
PART II— <i>contd.</i>			
1938	IV	The Insurance Act, 1938 — <i>contd.</i>	In section 36, for the words “an Indian State” the words “a non-Accessing State” shall be substituted. In section 100, for the words “an Indian Language” the words “the local language” shall be substituted. In the Third Schedule, for the words “within India”, wherever occurring in the headings of the second and the sixth columns of the table in Form D, the words “within Pakistan” shall be substituted. In the Fourth Schedule, for the words “within India”, wherever occurring in the headings of the second and the fifth columns of the table in Form G, the words “within Pakistan” shall be substituted.
1939	IV	The Motor Vehicles Act, 1939.	In clause (a) of sub-section (3) of section 42, for the words “an Indian State Railway” the words “a Pakistan State Railway” shall be substituted. In the Fourth Schedule, in the entry in the second column under Part B, for the word “India” the word “Pakistan” shall be substituted.
1940	V	The Trade Marks Act, 1940.	In sub-section (3) of section 58, for the words “Indian State” the words “Accessing State or non-Accessing State” shall be substituted.
1940	XXIII	The Drugs Act, 1940 ...	For clause (i) of sub-section (2) of section 5, the following shall be substituted, namely:— “(i) The Director-General, Health, <i>ex-officio</i>, who shall be Chairman;”.
1943	XXIII	The War Injuries (Compensation Insurance) Act, 1943.	For the words “the Schedule” forming the heading of the Schedule to the Act, the words “The First Schedule” shall be substituted.

Year	Number	Short title	Amendments
1.	2	3	4

PART II—*concl'd.*

1944	XVIII	The Public Debt (Central Government) Act, 1944.	In sub-section (1) of section 14, for the words "Indian State" the words "an Acceding State or a non-Acceding State" shall be substituted. In section 28,— (i) in clause (c) of sub-section (2), for the words "Indian States" the words "Acceding States or non-Acceding States" shall be substituted; and (ii) in sub-section (3), for the words "both the Chambers of the Indian Legislature" the words "the Central Legislature" shall be substituted.
1946	XX	The Industrial Employment (Standing Orders) Act, 1946.	In sub-clause (iii) of clause (e) of section 2, for the word and figure "section 2" the word and figure "section 3" shall be substituted.
1947	XII	The Railways (Transport of Goods) Act, 1947.	In sub-section (2) of section 2, for the words "Indian State" the words "Acceding State" shall be substituted.
1947	XVII	The Requisitioned Land (Continuance of Powers) Act, 1947.	In the third paragraph of the preamble, for the words "Indian Legislature" the words "Central Legislature" shall be substituted.
1947	XXIX	The Capital Issues (Continuance of Control) Act, 1947.	In sub-section (2) of section 1, for the word "India" in both places where it occurs, the word "Pakistan" shall be substituted.
1947	XXXI	The Antiquities (Export Control) Act, 1947.	In section 6, for the words "the Director General of Archaeology in India" the words "the Director of Archaeology in Pakistan" shall be substituted.
1947	XXXII	The Coal Mines Labour Welfare Fund Act, 1947.	In sub-section (1) of section 4, for the word "Calcutta" the word "Lahore" shall be substituted. In sub-section (9) of section 5, for the words "Government of India" the words "Government of Pakistan" shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART III.—ACTS OF THE CENTRAL LEGISLATURE PASSED AFTER
THE FOURTEENTH DAY OF AUGUST, 1947.

1948	I	The Pakistan Finance Act, 1948.	The first paragraph of section 4 shall be numbered as sub-section (1) of that section.
1949	IX	The Pakistan Finance Act, 1949.	In Part II of the Second Schedule, for the words "fourth column" in paragraph 1, the words "third column" shall be substituted.

PART IV.—ACTS MADE BY THE GOVERNOR-GENERAL BEFORE
THE FIFTEENTH DAY OF AUGUST, 1947.

1935	...	The Indian Finance Act, 1935.	In sub-section (2) of section 1, for the words "British Baluchistan and the Sonthal Parganas" the word "Baluchistan" shall be substituted.
1936	...	The Indian Finance Act, 1936.	In sub-section (2) of section 1, for the words "British Baluchistan and the Sonthal Parganas" the word "Baluchistan" shall be substituted.
1937	...	The Indian Finance Act, 1937.	In sub-section (2) of section 1, for the words "British Baluchistan and the Sonthal Parganas" the word "Baluchistan" shall be substituted.
1938	...	The Indian Finance Act, 1938.	In sub-section (2) of section 1, for the words "British Baluchistan and the Sonthal Parganas" the word "Baluchistan" shall be substituted.

PART V.—ORDINANCES MADE BY THE GOVERNOR-GENERAL BEFORE
THE FIFTEENTH DAY OF AUGUST, 1947.

1942	XXII	The Deputy Commander-in-Chief (Powers) Ordinance, 1942.	In the preamble, for the words "His Majesty's Forces in India" the words "the Pakistan Army" shall be substituted. For section 2, the following shall be substituted, namely :— <i>"Powers of Deputy Commander-in-Chief.—2. Any officer appointed to be Deputy Commander-in-Chief of the Pakistan</i>
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Year	Number	Short title	Amendments
1	2	3	4
PART V— <i>contd.</i>			
1942	XXII	The Deputy Commander-in-Chief (Powers) Ordinance, 1942— <i>contd.</i>	Army may exercise any of the powers and functions vested in the Commander-in-Chief of the Pakistan Army by or under any Pakistan law for the time being in force.”.
1942	XXXIII	The Civil Services (Conditions of Service) Ordinance, 1942.	In the long title and preamble, for the word “India” in both places where it occurs, the word “Pakistan” shall be substituted. In sub-section (1) of section 2, for the word “India” where it occurs for the first time the word “Pakistan” and for the words “in India either itself or the Crown Representative or any other Government in the Provinces and the Capital of the Federation” the words “in the Provinces or the Capital of the Federation, either under itself or under the Central or any Provincial Government” shall be substituted.
1943	I	The Enemy Agents Ordinance, 1943.	In clauses (a) and (b) of sub-section (2) of section 1, for the word “India” the word “Pakistan” shall be substituted. In clause (a) of section 2, for the words “His Majesty” the word “Pakistan” shall be substituted. In section 3, for the words “His Majesty’s Forces” the words “the armed forces of Pakistan”, for the words “with His Majesty” the words “with Pakistan”, and for the words “Indian State” the words “Acceding State” shall be substituted.
1943	XXXVI	The Prisoners of War (Forfeiture of Emoluments) Ordinance, 1943.	In section 4, for the words “His Majesty’s Forces in India” the words “the Pakistan Army” shall be substituted.
1944	III	The Restriction and Detention Ordinance, 1944.	In sub-section (1) of section 3, for the words “Indian States” the words “Acceding States” shall be substituted.

Year	Number	Short title	Amendments
1	2	3	4

PART V—*concl.*

1944	XLV	The Income-tax and Excess Profits (Validity of Notices) Ordinance, 1944.	In sub-section (2) of section 1, for the words "Indian States" the words "Acceding States" shall be substituted.
1946	IV	The Banking Companies (Inspection) Ordinance, 1946.	In clause (b) of sub-section (1) of section 5, for the words, brackets and figures "sub-section (6) of section 42 of the Reserve Bank of India Act, 1934 (<i>II of 1934</i>)" the words, brackets and figures "sub-clause (7) of clause 26 of the State Bank of Pakistan Order, 1948" shall be substituted.

PART VI.—ORDINANCES MADE BY THE GOVERNOR-GENERAL AFTER THE FOURTEENTH DAY OF AUGUST, 1947.

1947	III	The Riot and Civil Commotion Risks Insurance Ordinance, 1947.	In sub-section (1) of section 11, for the word "discharged" the word "discharge" shall be substituted.
1949	III	The States Forces Discipline Ordinance, 1948.	In sub-section (1) of section 1, for the figures "1948" the figures "1949" shall be substituted.
1949	XIII	The Karachi Joint Water Board Ordinance, 1949.	The first paragraph of section 35 shall be numbered as sub-section (1) of that section and after clause (f) of the sub-section as so numbered, the following shall be inserted, namely:— "shall be punishable with imprisonment of either description for a term which may extend to six months or with fine or with both."

THE FOURTH SCHEDULE

MODIFICATIONS OF CERTAIN ACTS, ORIGINALLY PASSED IN THE PROVINCES AND NOW THE CONCERN OF THE CENTRE.

(See section 5)

I.—The Karachi Port Trust Act, 1886 (Bombay Act VI of 1886)—

- (1) In section 3, for the words "Bombay Government Gazette" the words "official Gazette" shall be substituted;

- (2) in the third paragraph of section 46, for the words "Her Majesty or the Secretary of State for India in Council" the words "the Central Government" shall be substituted;
- (3) in section 9, section 57 and in the third paragraph of section 68, the words "in the Bombay Government Gazette and" occurring four times shall be omitted;
- (4) in sub-section (2) of section 59B, for the words "Governor in Council" the words "Central Government" shall be substituted;
- (5) in section 59E, for the words "India, and in Indian currency" the words "Pakistan, and in Pakistan currency" shall be substituted;
- (6) in the first paragraph of section 59G, for the words "Accountant General, Bombay" the words "Accountant General, Pakistan Revenues" shall be substituted;
- (7) in section 69C, for the words "Secretary of State or any other person" the words "Central Government or any other source" shall be substituted;
- (8) in sections 70, 71 and 75, for the words "Indian Penal Code" occurring four times, the words "Pakistan Penal Code" shall be substituted; and
- (9) in the second paragraph of section 81, the words "Bombay Government Gazette and in the Sind" shall be omitted.

II.—The Chittagong Port Act, 1914 (Bengal Act V of 1914)—

- (1) In clause (11) of section 4, sub-section (1) of section 39, in the proviso to clause (a) of sub-section (1) of section 57 and clause (5) of section 84, the word "Indian" shall be omitted from the title of Act XV of 1908;
- (2) in clause (i) of the proviso to section 12 and in the proviso to section 103, for the words "Act for the registration of joint stock companies passed by any Legislature in India or" the words "law relating to the registration of joint stock companies for the time being in force in Pakistan or under the provisions of any Act passed" shall be substituted;
- (3) in section 25, the word "Company" at the end of the proviso to clause (d) shall be omitted;
- (4) in sub-section (1) of section 43, section 44, sub-section (1) of section 45, section 47, sub-section (1) of section 48, sub-section (1) of section 50 and the Second Schedule, for the expression "Assam Bengal Railway Company" wherever it occurs, the expression "Eastern Bengal Railway" shall be substituted;
- (5) in section 47, for the words commencing with the words "Railway Board" and ending with the words "by that Authority" the words "Central Government" shall be substituted;
- (6) in section 59, for the word "India" twice occurring, the word "Pakistan" shall be substituted, and the word "further" shall be omitted;
- (7) in the proviso to sub-section (1) of section 76, for the word "India" the word "Pakistan" shall be substituted;
- (8) in sub-section (1) of section 79, for the word "Bengal" the words "East Bengal" shall be substituted;
- (9) in section 106, for the words "Indian Penal Code" the words "Pakistan Penal Code" shall be substituted;
- (10) in section 110, the word "Indian" shall be omitted from the title of Act IX of 1872; and

- (11) in the Third Schedule, in paragraph 1 of Part II, for the words "Assam Bengal Railway" the words "Eastern Bengal Railway" shall be substituted.

III.—The Bombay Prevention of Prostitution Act, 1923 (Bombay Act XI of 1923)—

In sub-section (1) of section 8D, for the words, figure, letters and brackets "section 8B, clause (a)" the words, figures, letters and brackets "clause (b) of sub-section (1) of section 2A" shall be substituted.

THE FIFTH SCHEDULE

Acts and Ordinances not part of Pakistan Laws

(See section 6)

PART I.—ACTS OF THE GOVERNOR-GENERAL-IN-COUNCIL

1835	XIX	The Dekkhan Assistant Agent's Appointment Act, 1835.
1837	XXXVI	The Madras Public Property Malversation Act, 1837.
1838	V	The Bengal Bonded Warehouse Association Act, 1838.
1838	XVI	The Bombay Courts of Adalat Act, 1838.
1839	XXIV	The Ganjam and Vizagapatam Act, 1839.
1840	XV	The Bombay Regulation XIII of 1830 (Application) Act, 1840.
1849	X	The Madras Revenue Commissioner Act, 1849.
1852	VIII	The Sheriffs' Fees Act, 1852.
1853	XI	The Shore Nuisances (Bombay and Kolaba) Act, 1853.
1854	V	An Act to amend Act No. V of 1838, relating to the Bengal Bonded Warehouse Association.
1854	XVI	An Act to amend Regulation XI of 1831 of the Bengal Code.
1854	XXIV	The Malabar War-Knives Act, 1854.
1855	XXXVII	The Sonthal Parganas Act, 1855.
1857	II	The Calcutta University Act, 1857.
1857	IV	The Tobacco Duty (Town of Bombay) Act, 1857.
1857	V	An Act to confer certain powers on the Oriental Gas Company, Limited.
1857	VII	The Madras Uncovenanted Officers Act, 1857.
1857	X	The Sonthal Parganas Act, 1857.
1857	XXI	The Howrah Offences Act, 1857.
1858	I	The Madras Compulsory Labour Act, 1858.
1859	V	The Bengal Ghatwali Lands Act, 1859.
1859	XII	The Calcutta Pilots Act, 1859.
1859	XX	The Moplah Outrages Act, 1859.
1859	XXIV	The Madras District Police Act, 1859.
1864	VIII	The Comptoir D'Escompte de Paris Act, 1864.
1866	XXIII	The Bombay High Court (Letters Patent) Act, 1866.

Part I.—*contd.*

1867	I	The Ganges Tolls Act, 1867.
1867	IX	An Act to make further provision for suits by and against the Comptoir D'Escompte of Paris.
1867	XI	An Act to empower the Oriental Gas Company, Limited, to extend their operations to certain places in British India.
1867	XIX	The Darjeeling (High Court's Jurisdiction) Act, 1867.
1868	XXIV	An Act to prohibit the practice of inoculation in Kumaon and Garhwal.
1869	I	The Oudh Estates Act, 1869.
1869	XIII	An Act further to amend the Procedure of the High Court of Judicature for the North-Western Provinces.
1870	XXIV	The Oudh Taluqdars' Relief Act.
1871	IV	The Coroners Act, 1871.
1871	XXI	An Act to give validity to the operation of the General Regulations and Acts within the Dehra Dun.
1873	III	The Madras Civil Courts Act, 1873.
1873	XVI	The North-Western Provinces Village and Road Police Act, 1873.
1875	XX	The Central Provinces Laws Act, 1875.
1876	VI	The Chota Nagpur Encumbered Estates Act, 1876.
1876	XV	The Bombay Municipal Debentures Act, 1876.
1876	XVIII	The Oudh Laws Act, 1876.
1876	XX	The Bhaunagar Act, 1876.
1877	IV	The Presidency Magistrates (Court-Fees) Act, 1877.
1877	XIV	The Broach and Kaira Incumbered Estates Act, 1877.
1878	XV	The Husainabad Endowment Act, 1878.
1879	XIX	The Raipur and Khattra Laws Act, 1879.
1881	I	The Taj Mahal's Pension Act, 1881.
1881	XIII	The Fort William Act, 1881.
1881	XXI	The Broach and Kaira Incumbered Estates Act, 1881.
1881	XXV	The Banki Laws Act, 1881.
1882	XV	The Presidency Small Causes Courts Act, 1882.
1882	XXI	The Madras Forest (Validation) Act, 1882.
1883	X	Bikrama Singh's Estates Act, 1883.
1884	II	The Madras Partition-Deeds (Validation) Act, 1884.
1885	VII	The Panch Mahals Laws Act, 1885.
1886	V	The Mirzapur Stone Mahal Act, 1886.
1886	XVII	The Jhansi and Morar Act, 1886.
1886	XXI	The Oudh Wasikas Act, 1886.
1887	XIX	An Act to provide for the Administration of the Estate of His late Majesty the King of Oudh.
1888	XII	The City of Bombay Municipal (Supplementary) Act, 1888.
1888	XIV	An Act to make further provision for the Administration of the Estate of His late Majesty the King of Oudh.
1890	VII	The Comptoir National D'Escompte de Paris Act, 1890.

Part I.—concl'd.

1890	XX	The North-Western Provinces and Oudh Act, 1890.
1891	XV	The Moorshedabad Act, 1891.
1892	V	The Bengal Military Police Act, 1892.
1892	VII	The Madras City Civil Court Act, 1892.
1893	II	The Porahat Estate Act, 1893.
1893	VI	An Act for settling Bonds of the Municipal Corporation of the City of Bombay, etc.; [the Petit Baronetcy Act].
1893	XI	The Tributary Mahals of Orissa Act, 1893.
1898	X	The Indian Insolvency Rules Act, 1898.
1899	XXIV	The Central Provinces Court of Wards Act, 1899.
1901	XI	The Amending Act, 1901.
1902	I	The Imperial Library (Indentures Validation) Act, 1902.
1903	X	The Victoria Memorial Act, 1903.
1910	X	The Indian Museum Act, 1910.
1911	I	The Opium (Amendment) Act, 1911.
1911	XVIII	The Calcutta Improvement (Appeals) Act, 1911.
1911	XIX	The Cowasjee Jehangir Baronetcy Act, 1911.
1912	XIII	The Delhi Laws Act, 1912.
1913	IV	The Sir Currimbhoy Ebrahim Baronetcy Act, 1913.
1915	II	The Sir Sassoon Jacob David Baronetcy Act, 1915.
1915	VII	The Delhi Laws Act, 1915.
1915	X	The Sir Jamsetjee Jejeebhoy Baronetcy Act, 1915.
1915	XVI	The Benares Hindu University Act, 1915.
1917	XII	The King of Oudh's Estate Validation Act, 1917.
1917	XVI	The Patna University Act, 1917.
1917	XXV	The Sir Currimbhoy Ebrahim Baronetcy (Amendment) Act, 1917.
1919	XV	The Calcutta High Court (Jurisdictional Limits) Act, 1919.
1920	III	The United Provinces Town Improvement (Appeals) Act, 1920.
1920	XXXV	The Basel Mission Trading Company Act, 1920.
1920	XL	The Aligarh Muslim University Act, 1920.
1920	XLVII	The Imperial Bank of India Act, 1920.

PART II.—ACTS OF THE CENTRAL LEGISLATURE PASSED BEFORE THE FIFTEENTH DAY OF AUGUST, 1947.

1921	II	The Legislative Assembly (Deputy President's Salary) Act, 1921.
1921	VIII	The Hindu Transfers and Bequests (City of Madras) Act, 1921.
1921	IX	The Enemy Missions Act, 1921.
1922	VIII	The Delhi University Act, 1922.
1922	XIII	The Ranchi Mental Hospital Act, 1922.
1923	XXII	The Malkharoda and Gaontia Villages Laws Act, 1923.
1923	XXIV	The Mahendra Partab Singh Estates Act, 1923.

FIFTH SCHEDULE—PART II.—*contd.*

1923	XXV	The Moorshedabad (Amendment) Act, 1923.
1925	VI	The Legislative Assembly (President's Salary) Act, 1925.
1925	XXII	The Salt Law Amendment Act, 1925.
1925	XXXV	The Madras, Bengal and Bombay Children (Supplementary) Act, 1925.
1926	XXIII	The Delhi Joint Water Board Act, 1926.
1930	XXXI	The Ajmer-Merwara Court-Fees (Amendment) Act, 1930.
1931	XX	The Sheriff of Calcutta (Powers of Custody) Act, 1931.
1933	XXIII	The Murshidabad Estate Administration Act, 1933.
1934	II	The Reserve Bank of India Act, 1934.
1935	XIII	The Jubbulpore and Chhattisgarh Divisions (Divorce Proceedings Validation) Act, 1935.
1936	XVI	The Bangalore Marriages Validating Act, 1936.
1936	XVIII	The Red Cross Society (Allocation of Property) Act, 1936.
1936	XXIII	The Durgah Khawaja Saheb Act, 1936.
1937	XXIII	The Petroleum (Berar Extension) Act, 1937.
1940	VII	The Reserve Bank of India (Closing of Annual Accounts) Act, 1940.
1941	IV	The Berar Laws Act, 1941.
1941	V	The Assam Rifles Act, 1941.
1941	XII	The Delhi Restriction of Uses of Land Act, 1941.
1943	IV	The Aligarh Muslim University (Amendment) Act, 1943.
1943	XIII	The Delhi Muslim Wakfs Act, 1943.
1943	XXIV	The Delhi University (Amendment) Act, 1943.
1943	XXV	The Victoria Memorial (Amendment) Act, 1943.
1944	XI	The Indian Income-tax (Amendment) Act, 1944.
1944	XII	The Delhi Muslim Wakfs (Amendment) Act, 1944.
1944	XVII	The Delhi Joint Water and Sewage Board (Amendment) Act, 1944.
1945	XI	The Aligarh Muslim University (Amendment) Act, 1945.
1946	V	The Professions Tax Limitation (Amendment) Act, 1946.
1946	XIV	The Railway Companies (Substitution of Parties in Civil Proceedings) Act, 1946.
1946	XXIII	The Reserve Bank of India (Amendment) Act, 1946.
1946	XXV	The Delhi Special Police Establishment Act, 1946.
1947	XI	The Reserve Bank of India (Amendment) Act, 1947.
1947	XIII	The Delhi Muslim Wakfs (Amendment) Act, 1947.
1947	XIX	The Delhi and Ajmer-Merwara Rent Control Act, 1947.
1947	XXIII	The Reserve Bank of India (Second Amendment) Act, 1947.
1947	XXXV	The Panth Piploda Laws (Amendment) Act, 1947.

PART III.—ORDINANCES MADE BY THE GOVERNOR-GENERAL BEFORE
THE FIFTEENTH DAY OF AUGUST, 1947.

1942	XVII	The United Provinces Special Armed Constabulary Act (Extension) Ordinance, 1942.
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FIFTH SCHEDULE—PART III.—*contd.*

1943	XIII	The Essential Services (Telephone Employees) Ordinance, 1943.
1943	XX	The Reserve Bank of India (Limitation of Dividend) Ordinance, 1943.
1943	XXX	The Military Nursing Services (India) Ordinance, 1943.
1944	XXXII	The Bombay Explosion (Compensation) Ordinance, 1944.
1945	III	The Delhi Rent Control (Amendment) Ordinance, 1945.
1945	VIII	The Essential Services (Dibru Sadiya and Colliery Branch Railways) Ordinance, 1945.
1945	XXXII	The Bengal Textiles Association Ordinance, 1945.
1947	X	The Press Special Powers (No. 2) Ordinance, 1947.
1947	XII	The Delhi Premises (Requisition and Eviction) Ordinance 1947.

THE GENERAL CLAUSES (AMENDMENT) ACT, 1951.

¹ACT No. XXVII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the General Clauses Act, 1897

X of
1897. WHEREAS it is expedient further to amend the General
Clauses Act, 1897, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. This Act may be called the General Clauses Short title.
(Amendment) Act, 1951.

2. In section 3 of the General Clauses Act, 1897—

(a) the following clause, namely:—

Amendment
of section 3,
Act X of
1897.

“(37b) ‘Orissa Act’ shall mean an Act made by
the Provincial Legislature or the
Governor of Orissa under the Govern-
ment of India Act, 1935.”

shall be omitted and shall be deemed to have been
omitted with effect from the fourteenth
day of August, 1947; and

(b) the un-numbered clause defining a West Punjab
Act inserted by the Schedule to the
Pakistan (Adaptation of Existing Pakistan
Laws) Order, 1947, after clause (56) shall
be numbered as clause (56a).

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951,
Part V, dated the 23rd November, 1951, page 1.

Price: Anna 1

GPPK—L 129 LD—23-11-55—925.

**THE EMPLOYMENT OF CHILDREN (AMENDMENT)
ACT, 1951.**

ACT No. XXVIII OF 1951¹.

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE)]

*(Received the assent of the Governor-General on the
22nd December, 1951.)*

An Act further to amend the Employment of Children Act, 1938

XXVI
of
1938. WHEREAS it is expedient further to amend the Employment of Children Act, 1938, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. This Act may be called the Employment of Children Short title.
(Amendment) Act, 1951.

2. In the long title of the Employment of Children Act, 1938 Amendment
(hereinafter referred to as the Act), and in the preamble thereto, of long title
for the words "the admission of children to", the words "the and
employment of children in" shall be substituted at both places. preamble,
Act XXVI
of 1938.

3. In section 2 of the Act, after clause (b), the following new Amendment
clause shall be inserted, namely :— of section 2.
Act XXVI
of 1938.

" (bb) "port authority" means a body of port commis-
sioners or any other authority administering a
port ; "

4. In section 3 of the Act, for sub-sections (1) and (2) the Amendment
following sub-sections shall be substituted, namely :— of section 3,
Act XXVI
of 1938.

" (1) No child who has not completed his fifteenth year shall be employed or permitted to work in any occupation—

(a) connected with the transport of passengers, goods or
mains by railway ; or

(b) involving the handling of goods within the limits of
any port.

(2) No child who has completed his fifteenth year but has
not completed his seventeenth year shall be employed or per-
mitted to work in any occupation referred to in sub-section (1),
unless the periods of work of such child for any day are so fixed
as to allow an interval of rest for at least twelve consecutive
hours which shall include at least such seven consecutive hours
between 10 P.M. and 7 A.M. as may be prescribed :

Provided that nothing in this sub-section shall apply to any
child referred to herein while employed or permitted to work

¹ For Statement of Objects and Reasons, see Gazette of Pakistan,
1951, Pt. V, dated the 23rd November, 1951.

in such circumstances and in accordance with such conditions as may be prescribed in any occupation aforesaid either as an apprentice or for the purpose of receiving vocational training therein :

Provided further that the competent authority may, where it is of opinion that an emergency has arisen and the public interest so requires, by notification in the official Gazette, declare that the provisions of this sub-section shall not be in operation for such period as may be specified in the notification."

Insertion of
new sections
3D and 3E,
Act XXVI
of 1938.

5. After section 3C of the Act, the following new sections shall be inserted, namely :—

"3D. *Maintenance of register.*—There shall be maintained by every employer, in respect of children employed or permitted to work in pursuance of sub-section (2) of section 3 in any occupation referred to in sub-section (1) of that section, a register to be available for inspection by an Inspector at all times during working hours or when work is being carried on in any such occupation, showing—

- (a) the name and date of birth of every child who has not completed his seventeenth year so employed or permitted to work ;
- (b) the periods of work of any such child and the intervals of rest to which he is entitled ;
- (c) the nature of work of any such child ; and
- (d) such other particulars as may be prescribed.

3E. *Display of notice containing abstracts of sections 3 and 4.*—Every railway administration and every port authority shall cause to be displayed in a conspicuous and accessible place at every station on the railway or within the limits of the port, as the case may be, a notice in such language as may be prescribed and in English containing an abstract of sub-sections (1) and (2) of section 3 and section 4 of this Act.

Explanation.—In this section "railway administration" has the meaning assigned to it in the Railway Act, 1890. "IX of 1890.

Substitution
of new
section for
section 4,
Act XXVI of
1938.

6. For section 4 of the Act, the following shall be substituted, namely :—

"4. *Penalty.*—Whoever—

- (a) employs any child or permits any child to work in contravention of the provisions of section 3 ; or
- (b) fails to give notice as required by section 3B and section 3E ; or
- (c) fails to maintain a register as required by section 3D or makes any false entry in any such register ;

shall be punishable with the fine which may extend to five hundred rupees."

7. In sub-section (2) of section 7 of the Act :—

(i) the word "and" at the end of clause (a) shall be omitted ; and

Amendment
of section 7,
Act XXVI
of 1938.

(ii) after the proviso to clause (b), the following new clauses shall be added, namely :—

- " (c) fix the seven consecutive hours between 10 P.M. and 7 A.M. for the purpose of sub-section (2) of section 3 ;
- (d) specify the circumstances in which and the conditions subject to which an child may be employed or permitted to work either as an apprentice or for the purpose of receiving vocational training in any occupation referred to in sub-section (1) of section 3 ;
- (e) specify any other particulars to be entered in the register maintained under section 3D ;
- (f) specify the language in which a notice referred to in section 3B and 3E shall be published ; and
- (g) provide for exemption from the provisions of sub-section (2) of section 3 in case of an emergency which could not have been controlled or foreseen, which is not of a periodical character and which interferes with the normal working of any occupation referred to in sub-section (1) of section 3."

THE MINES (AMENDMENT) ACT, 1951

ACT No. XXIX OF 1951¹

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE)]

(Received the assent of the Governor-General on the
22nd December, 1951)

An Act further to amend the Mines Act, 1923

IV of 1923. WHEREAS it is expedient further to amend the Mines Act, 1923, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. (1)—This Act may be called the Mines (Amendment) Act, 1951. Short title and commencement.
- (2) It shall come into force at once.

- IV of 1923. 2. After section 23B of the Mines Act, 1923 (hereinafter referred to as the Act), the following new section shall be inserted, namely :— Insertion of new section 23C, Act IV of 1923.

“23C. No female shall be allowed to work in a mine either below ground or above ground between the hours of 7 P.M. and 6 A.M.”

3. For section 24 of the Act the following shall be substituted, namely :— Substitution of section 24, Act IV of 1923.

“24. Nothing in section 22B, section 22C, section 23, sub-section (4) of section 23B, or in section 23C shall apply to persons who may by rules be defined to be persons holding responsible positions of a managerial or technical character or employed in health and welfare services or employed in any confidential capacity.”

4. After section 26A of the Act, the following new section shall be inserted, namely :— Insertion of new section 26B, Act IV of 1923.

“26B. No person who has not completed his seventeenth year shall be permitted to work in any part of a mine, either below ground or above ground, unless the hours of work of such person for any day are so fixed as to allow an interval of rest of at least twelve consecutive hours which shall include at least such seven consecutive hours between the hours of 7 P.M. and 7 A.M. as may be prescribed :

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

Provided that nothing in this section shall apply to any such person while employed or permitted to work in any mine as an apprentice or for the purposes of receiving vocational training, in such circumstances and in accordance with such conditions as may be prescribed.”.

Amendment
of section
28, Act IV
of 1923.

5. In section 28, in clause (a) of sub-section (1), for the words “the nature” the words and comma “name, date of birth and the nature” shall be substituted.

Amendment
of section
30, Act IV
of 1923.

6. In section 30 of the Act, after clause (cc), the following new clauses shall be inserted, namely :—

“ (ccc) to fix seven consecutive hours between 7 P.M. and 7 A.M. for the purposes of section 26B ;

(cccc) to specify the circumstances in which and conditions in accordance with which a young person may be employed or permitted to work as an apprentice or for the purposes of receiving vocational training in a mine for the purposes of the proviso to section 26B ;”.

THE PAKISTAN MEDICAL COUNCIL (AMENDMENT) ACT, 1951.

¹ACT No. XXX OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the Pakistan Medical Council
Act, 1933.

XXVII WHEREAS it is expedient further to amend the Pakistan
of Medical Council Act for the purposes hereinafter appearing;
1933.

It is hereby enacted as follows:—

1.—(1) This Act may be called the Pakistan Medical Council (Amendment) Act, 1951. Short title
and com-
mencement.

(2) It shall come into force at once.

XXVII 2. In section 3 of the Pakistan Medical Council Act, Amendment
of (hereinafter referred to as the said Act) in clause (a) of section 3,
1933. sub-section (1) after the words "Governor's Province" the Act XXVII
words "and Chief Commissioner's Province and one of 1933.
member from the Capital of the Federation" shall be
inserted.

3. In section 7 of the said Act, to sub-section (2) the following proviso shall be added, namely:— Amendment
of section 7,
Act XXVII
of 1933.

"Provided that if such a member fails to attend three consecutive meetings of the Council, or remains out of Pakistan for a continuous period exceeding one year, his seat shall be deemed to have been vacated at the close of the third of the three meetings, or as the case may be, the period of a year mentioned above, and a person shall thereupon be nominated or, as may be required in the case of the particular seat, elected to fill the vacancy."

4. In section 11 of the said Act, in sub-section (2), Amendment,
after the words "a Province" the words "or the Capital of section 11
of the Federation" shall be inserted. Act XXVII
of 1933.

5. After section 14 of the said Act, the following new section shall be inserted, namely:— Insertion of
new section
14A, Act
XXVII of
1933.

"14A. The Central Government, after consulting the Council, may if it thinks fit direct that a medical qualification granted by an institution in a State or country outside the Provinces and the Capital

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, dated the 23rd November, 1951, pages 9 and 10.

of the Federation shall be recognised, for such period and upon such conditions as may be specified in the direction, as if it were mentioned in the Second Schedule to this Act notwithstanding that a reciprocal scheme of recognition has not been entered into between the Council and such authority in that State or country as is referred to in sub-section (1) of section 14."

Amendment
of section
16, Act
XXVII of
1933.

6. In section 16 of the said Act,—

(a) to sub-section (1), the words "or in respect of which recognition has been sought" shall be added at the end; and

(b) in sub-section (2) for the words "on any other matters" the following shall be substituted, namely:—

"on the courses of study and facilities for teaching provided by the institution in question at different stages in respect of such examination, and on any other matters".

Insertion of
new section
17A, Act
XXVII of
1933.

7. After section 17 of the said Act, the following new section shall be inserted, namely:—

"17A. The Council shall maintain a register of medical practitioners in the Provinces and the Capital of the Federation possessing qualifications which are recognised medical qualifications for the purposes of this Act, and may by a Regulation direct the particulars to be entered in the register."

Amendment
of the First
Schedule,
Act XXVII
of 1933.

8. In the First Schedule to the said Act, for the words "West Punjab University" the words "University of the Punjab" shall be substituted.

**THE PAKISTAN (ADMINISTRATION OF
EVACUEE PROPERTY) (SECOND
AMENDMENT) ACT, 1951.**

¹ACT NO. XXXI OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

**An Act further to amend the Pakistan (Administration
of Evacuee Property) Ordinance, 1949.**

WHEREAS it is expedient further to amend the Pakistan
(Administration of Evacuee Property) Ordinance, 1949,
Ord. XV of 1949. for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Pakistan (Adminis- Short title
tration of Evacuee Property) (Second Amendment) Act, and com-
1951. mencement.

(2) It shall come into force at once.

2. In sub-section (2) of section 2 of the Pakistan (Ad- Amendment
Ord. XV of 1949. ministration of Evacuee Property) Ordinance, 1949, of section 2,
(hereinafter referred to as the Ordinance),— Ordinance
XV of 1949.

(a) sub-clause (iii) of clause (c) shall be omitted ;
and

(b) the following new clauses shall be added at the
end, namely :—

“ (d) whose business or undertaking in Pakistan,
in the case of a Corporation, has on account
of the setting up of the Dominions of Pakis-
tan and India, or on account of civil disturb-
ances, or the fear of such disturbances,
ceased to function wholly, or partially,
or is being carried on by persons
(whether duly empowered in this behalf
by the Corporation or its management or
otherwise) whose authority to do so on or
after the first day of March, 1947 has not
been accepted or approved by the Custodian ; or

(e) being a joint stock company more than fifty
per cent. of the shares of which are held by
persons who are evacuees.”.

¹For Statement of Objects and Reasons, see Gazette of
Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

The amendments made by this section shall be deemed always to have been made and shall have effect accordingly.

Retrospective effect of certain words in section 12, Ordinance XV of 1949.

3. In sub-section (1) of section 12 of the Ordinance, the words "or any other authority" directed to be inserted at two places therein by section 9 of the Pakistan (Administration of Evacuee Property) (Amendment) VI of 1951, shall be deemed always to have been so inserted and shall have effect accordingly.

Addition of a new section 20A in Ordinance XV of 1949.

4. After section 20, the following new section shall be added:—

Banking Companies to furnish information in respect of remittances.

"20A. Notwithstanding anything contained in any other law for the time being in force, the Custodian may direct any banking company to furnish such information as may be required with respect to remittances made after the twenty-eight day of February, 1947, to any place outside the territories now comprising Pakistan, as may be specified by the Custodian, either generally or with reference to any person or class of persons."

Amendment of section 34, Ordinance XV of 1949.

5. In section 34—

- (a) in sub-section (2), for the words and comma "Court, the Court" the words and comma "Court or before any other authority, the Court or authority" shall be substituted;
- (b) in sub-sections (3), (4) and (5), after the word "Court" wherever it appears the words "or other authority" shall be inserted;
- (c) the following new sub-section shall be added at the end, namely:—

"(6) Nothing in the foregoing sub-sections shall prevent the adjudication by a civil court of a dispute between evacuees relating to a right in evacuee property upon a reference made to it by the Custodian or with the Custodian's previous approval."

THE PAKISTAN REHABILITATION (SECOND AMENDMENT) ACT, 1951.

¹ACT NO. XXXII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the Pakistan Rehabilitation Ordinance, 1948.

Ord. XIX of 1948. WHEREAS it is expedient further to amend the Pakistan Rehabilitation Ordinance, 1948, for the purposes herein-after appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Pakistan Rehabilitation (Second Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

2. In sub-section (3) of section 2 of the Pakistan Rehabilitation Ordinance (hereinafter referred to as the Ordinance),— Amendment of section 2, Ordinance XIX of 1948.

(a) sub-clause (iii) of clause (c) shall be omitted ;
and

(b) the following new clauses shall be added at the end, namely :—

“ (d) whose business or undertaking in Pakistan in the case of a Corporation, has on account of the setting up of the Dominions of Pakistan and India, or on account of civil disturbances, or the fear of such disturbances, ceased to function, wholly, or partially, or is being carried on by persons (whether duly empowered in this behalf by the Corporation or its management or otherwise) whose authority to do so on or after the first day of March, 1947 has not been accepted or approved by the Custodian ; or

(e) being a joint stock company more than fifty per cent. of the shares of which are held by persons who are evacuees.”

¹For Statement of Objects and Reasons, see Gazette of Pakistan, dated the 23rd November, 1951, Pt. V, pp. 11—13.

The amendments made by the aforesaid sub-sections (d) and (e) shall be deemed always to have been made and shall have effect accordingly.

- (c) In clause (b) of sub-section (4A) for the figure and brackets "(2)" the figure and brackets "(3)" shall be substituted.

Amendment
of section 8,
Ordinance
XIX of 1948.

3. In sub-section (2) of section 8 of the Ordinance,—

- (a) in clause (a), for the word "Protection" the word "Administration" shall be substituted ;
and

- (b) in clause (b) after the words "business or undertaking", where they occur for the first time, the words "whose possession thereof has not been authorised by the Rehabilitation Authority, or" shall be inserted.

THE INSURANCE (AMENDMENT) ACT, 1951

¹ACT NO. XXXIII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the Insurance Act, 1938

IV of
1938.

WHEREAS it is expedient further to amend the Insurance Act, 1938, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Insurance (Amendment) Act, 1951. Short title
and com-
mencement.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. In section 7 of the Insurance Act, 1938 (hereinafter referred to as the said Act),— Amendment
of section 7,
Act IV of
1938.

(a) in sub-section (1),—

(i) in clause (a), for the word “one” the word “two”,

(ii) in clauses (b), (c) and (d) for the words “seventy-five” at each place the words “one hundred and fifty”,

(iii) in clause (e), for the words “one hundred and fifty” and “one hundred” the words “three hundred” and “two hundred” respectively,

(iv) in clause (f), for the words “two hundred” and “one hundred” the words “four hundred” and “two hundred” respectively,

(v) in clause (g), for the words “two hundred and twenty-five” and “one hundred” the words “four hundred and fifty” and “two hundred” respectively,

(vi) in clause (h), for the words “one hundred and twenty-five” the words “two hundred and fifty”,

(vii) in clause (i), for the words “one hundred and seventy-five” the words “three hundred and fifty”,

shall be substituted;

(b) in sub-section (4) and in the proviso to sub-section (5), the words “and not being an insurer incorporated in or domiciled in the United Kingdom” shall be omitted at both places.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Part V, dated the 23rd November, 1951, page, 15.

Amendment
of section
27, Act IV
of 1938.

3. In section 27 of the said Act,—

- (a) in sub-sections (1) and (2) and in the *Explanation* to sub-section (4) the words “or the United Kingdom” shall be omitted wherever they occur;
- (b) in sub-sections (1) and (2) the words “or securities of or guaranteed as to principal and interest by the Government of the United Kingdom” shall be omitted at both places;
- (c) after sub-section (4) the following new sub-section shall be added, namely:—

“ (5) The securities of or guaranteed as to principal and interest by the Government of the United Kingdom shall be regarded as approved securities other than Government securities for a period of four years from the commencement of the Insurance (Amendment) Act, 1951, in the manner and to extend hereinafter specified, namely:—

- (i) during the first year, to the extent of twenty-five per cent. in value of the sum referred to in sub-sections (1) and (2);
- (ii) during the second year, to the extent of eighteen and three quarters per cent. in value of the said sum;
- (iii) during the third year, to the extent of twelve and half per cent. in value of the said sum; and
- (iv) during the fourth year, to the extent of six and a quarter per cent. in value of the said sum.”

THE PROTECTIVE DUTIES (AMENDMENT) ACT, 1951.

¹ACT No. XXXIV OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the 22nd
December, 1951.)

An Act to amend the Protective Duties Act, 1950

LXI of
1950.

WHEREAS it is expedient to amend the Protective Duties Act, 1950, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1.—(1) This Act may be called the Protective Duties (Amendment) Act, 1951.

Short title
and com-
mencement.

(2) It shall come into force at once.

2. For sub-section (1) of section 2 of the Protective Duties Act, 1950, the following shall be substituted, namely:—

Amendment
of section 2,
Act LXI of
1950.

“(1) If the Central Government is of the opinion that it is urgently necessary to provide for the protection of the interests of any industry established in the Provinces or the Capital of the Federation, the Central Government may, by notification in the official Gazette—

(a) impose on any goods produced or manufactured in any country outside Pakistan and imported into the Provinces or the Capital of the Federation a duty of customs of such amount as it thinks fit; or

(b) change the nature of a duty of customs, imposed on any goods produced or manufactured in any country outside Pakistan and imported into the Provinces or the Capital of the Federation, into protective:

Provided that no notification shall be made under this sub-section unless the Central Government is first satisfied, upon a report submitted to it in this behalf by the Tariff Commission set up by the Central Government, that the industry in respect of which the report is submitted should be protected.”

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

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THE LUNACY (AMENDMENT) ACT, 1951

¹ACT No. XXXV OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

*(Received the assent of the Governor-General on the
22nd December, 1951.)*

An Act further to amend the Lunacy Act, 1912

WHEREAS it is expedient further to amend the Lunacy Act, 1912, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. This Act may be called the Lunacy (Amendment) Act, Short title. 1951.

2. In the Lunacy Act, 1912, after section 33, the following new section shall be inserted, namely :—

Insertion of
new section
33A, Act IV
of 1912.

“33A. (1) When any relative or friend of a lunatic detained in any asylum under the provisions of section 7, 10, 14 or 15 is desirous that such lunatic shall be temporarily released and delivered over to his care and custody, he may make an application to the person in charge of the asylum, who in consultation with the visitors or with one of them being a medical officer shall, unless for any reason he considers that such release is undesirable, make an order for the temporary release of such lunatic for a period not exceeding sixty days and such lunatic shall thereupon be so released.

(2) No order under sub-section (1) for the temporary release of a lunatic detained under section 7 or 10 shall be passed except on an application of the petitioner on whose petition such lunatic was detained or without the consent in writing of such petitioner :

Provided that, if in any such case, it appears to the person in charge of the asylum that such petitioner refuses, without sufficient reasons, to accord such consent, or is dead, he shall refer

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1950, Pt. V, p. 113 ; and for Report of Select Committee, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

the application made to him under sub-section (1), to the magistrate who would have jurisdiction to detain such lunatic under section 7 or 10 and such magistrate may, after making such enquiry as he thinks fit, order the temporary release of such lunatic for the period specified in sub-section (1).

- (3) Any order made for the release of a lunatic under sub-section (1) may, on the application of any relative or friend, at any time during the period of his release, be set aside, or varied by the magistrate who would have jurisdiction to detain such lunatic in any asylum under section 7, 10, 14 or 15 on any ground other than that the lunatic was not in a state of mind fit to be released at the time the order for his release was made under sub-section (1). If the order of release is so set aside, the lunatic shall be readmitted and detained in the asylum.
- (4) If a lunatic released under sub-section (1) or (2) is, at any time during the period of his release, found to be unmanageable or dangerous and unfit to be at large, the person who applied for his release shall inform the magistrate who would have jurisdiction to detain the lunatic under section 7 or section 10 and shall take the lunatic to the asylum, and such lunatic shall thereupon be re-admitted and detained in the asylum.
- (5) If a lunatic released under sub-section (1) or (2) does not return to the asylum at the expiration of the period for which he was released and if no order for his discharge has been passed under section 31 or section 33 or if he is, at any time during the period of his release, found to be unmanageable or dangerous or unfit to be at large and the person who applied for his release states by a written application to the person in charge of the asylum that he is unable to bring him to the asylum such lunatic shall be deemed to have escaped from the asylum and may at any time within one month after the expiration of the said period be re-taken to and detained in the asylum in the manner provided in section 36 :

Provided that such a person shall be deemed to be discharged if on or before the expiry of the period for which he was released, the Board of Visitors is satisfied as a result of investigations conducted by the person in charge of the asylum concerned that the person may with safety be discharged.
- (6) No order shall be made under sub-section (1) until the person making the application has entered into a bond with or without sureties

for such sum of money as the person making the order thinks fit conditioned that the lunatic shall be properly taken care of and shall be prevented from doing injury to himself or to others and taken back to the asylum on the expiry of the period of his release or in the event of his becoming unmanageable or dangerous and unfit to be at large.”.

3. In Form 8 in Schedule I to the Lunacy Act, 1912—

Amendment
of First
Schedule,
Act IV of
1912.

- (a) in the heading, after the words “Bond on the discharge”, the words “or temporary release” shall be added ;
- (b) in the reference, after the word and figures “ section 33 ”, the words and figures “ or section 33A ” shall be added ;
- (c) after the words “injury to himself or others” at both places, the brackets, words and figures :—
 “ [(and in case of temporary release under section 33A add) and taken back to the asylum on the expiry of the period of his release or in the event of his becoming unmanageable or dangerous and unfit to be at large] ”

shall be inserted.

THE KARACHI INDECENT ADVERTISEMENT PROHIBITION ACT, 1951.

ACT No. XXXVI OF 1951¹.

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE)]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act to prohibit indecent advertisement in the Capital of the Federation.

WHEREAS it is expedient to prohibit indecent advertisements ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Karachi Indecent Advertisement Prohibition Act, 1951.

Short title,
extent and
commence-
ment.

(2) It extends to the Capital of the Federation.

(3) It shall come into force upon such date as the Central Government may, by notification in the official Gazette, appoint.

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(a) "indecent advertisement" means any advertisement of an indecent nature and also includes any matter of an indecent nature in writing ;

(b) "Public place" means any place where an advertisement can be seen by the members of the public.

3. No person shall print or publish any indecent advertisement or distribute anything containing the same or exhibit in a public place any indecent advertisement or anything containing such advertisement.

Prohibition
against
display.

4. Any person who contravenes the provisions of section 3 or of any rule made under this Act shall be punishable for the first offence with rigorous imprisonment for a period not exceeding six months or with fine not exceeding five hundred rupees, or with both, and for every subsequent offence with rigorous imprisonment for a period not exceeding one year or with fine not exceeding one thousand rupees or with both.

Punishment
for contra-
vention of
provisions of
the Act and
rules made
thereunder.

5. Any person having the ownership, possession or control of any property who knowingly permits a contravention of the provisions of section 3 in respect of that property commits an offence and shall be punishable for the first offence and for every subsequent offence as provided in respect of a first offence and a subsequent offence respectively in section 4.

Liability of
owner, etc.,
of property
on which
offence is
committed.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1950, Pt. V. p. 264 and for Report of Select Committee, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

Power to
make rules.

6. The Central Government may make rules for the purpose of giving effect to the provisions of this Act.

Access of
police to
places of
display.

7. Whenever a District Magistrate, Sub-Divisional Magistrate or any Magistrate of the First Class or any other officer authorised in this behalf by the Central Government has reason to believe that an indecent advertisement or anything containing an indecent advertisement has been or is being or is intended to be printed, published, distributed or exhibited in contravention of section 3 he may by order in writing authorise any police officer not below the rank of sub-inspector to seize, remove, deface or destroy the same, and to use such force as may be required and to enter such place it may be necessary to enter in order to effect the seizure, removal, defacement or destruction.

Institution
of prosecution
and bar
of suits.

8.—(1) An offence under this Act shall be non-cognizable, but, without prejudice to the right of any other person to make a complaint of an offence under this Act, a police officer not below the rank of sub-inspector who receives information that such an offence has been committed, shall, if he is satisfied as to the truth of the information, make a complaint of the offence in writing to the nearest Magistrate having jurisdiction.

(2) No suit shall lie against the Central Government or against any officer of that Government in respect of any act in good faith done or ordered to be done under this Act.

Savings.

9. Nothing in this Act applies to the public health authorities of the Central Government, the Administration of Karachi or of the Corporation of Karachi, or to advertisements *bonafide* intended solely for members of the medical and pharmaceutical professions and which are not, in the ordinary course, likely to be distributed or exhibited except to members of those professions.

Power to
declare for-
feiture.

10.—(1) Where any newspaper or book as defined in the Press and Registration of Books Act, 1867, or any document wherever written or printed, is found in a trial for an offence under this Act relating thereto to contain an indecent advertisement, the Court shall so inform the Central Government, and the Central Government may thereupon declare every copy of the issue of the newspaper containing such advertisement and every copy of such book or other document to be forfeited to the Central Government, and thereupon any police officer may seize the same wherever found, and any Magistrate may by warrant authorise any police officer not below the rank of sub-inspector to enter upon and search for the same in any premises where any copy of such issue or any such book or other document may be or may be reasonably expected to be.

(2) In sub-section (1) "document" includes also any painting, colouring or photograph or other visible representation.

THE CONTROL OF SHIPPING (AMENDMENT) ACT, 1951.

¹ACT No. XXXVII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the Control of Shipping Act, 1947

XXVI WHEREAS it is expedient further to amend the Control
of Shipping Act, 1947, for the purposes hereinafter ap-
1947. appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Control of Shipping Short title
(Amendment) Act, 1951. and com-
mencement.

(2) It shall come into force at once.

2. To section 5 of the Control of Shipping Act, 1947, Amendment
the following new sub-section shall be added, namely :— of section 5,
Act XXVI
of 1947.

“ (3) In cases—

(a) where a Shipping Authority has power to
give directions under sub-section (1), or

(b) where the Central Government or any
Shipping Authority has power to give direc-
tions under sub-section (2) subject to the
proviso to that sub-section,

the Shipping Authority or the Central Government,
as the case may be, may from time to time by
order in writing give general or special direc-
tions applicable to any ship with respect to the
kind of cargo which may be carried in the ship,
and the quantity in which such cargo may be
put on board by any shipper specified in the
order.”

Ord. 3. The Control of Shipping (Amendment) Ordinance, Repeal of
V of 1951. 1951, is hereby repealed. Ordinance
V of 1951.

¹For Statement of Objects and Reasons, see Gazette of
Pakistan, 1951, Part V, dated the 23rd November, 1951.

Price : Anna 1

THE INDIAN TOLLS (ARMY AND AIR FORCE) (AMENDMENT) ACT, 1951.

¹Act No. XXXVIII OF 1951.

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY (LEGISLATURE)]
(Received the assent of the Governor-General on the 22nd
December, 1951.)

An Act further to amend the Indian Tolls (Army and Air Force) Act, 1901.

II of 1901. WHEREAS it is expedient further to amend the Indian Tolls (Army and Air Force) Act, 1901 for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Indian Tolls (Army and Air Force) (Amendment) Act, 1951. Short title and commencement.

(2) It shall come into force at once.

II of 1901. 2. For the preamble to the Indian Tolls (Army and Air Force) Act, 1901, hereinafter referred to as the Act, the following shall be substituted, namely :— Amendment of preamble, Act II of 1901.

“Whereas it is necessary to provide for the exemption from the payment of certain duties or tolls of certain officers, soldiers, airmen and other persons, and certain animals, baggage and carriages belonging or attached to the Pakistan Army, or to the Royal Pakistan Air Force ;”.

3. In section 1 of the Act,—

(a) in sub-section (1), the word “Indian” shall be omitted ; Amendment of section 1, Act II of 1901.

(b) for sub-section (2), the following shall be substituted, namely :—

“ (2) It extends to the whole of Pakistan.”.

4. In section 2 of the Act,—

(a) in clause (a) for the words “Forces or Corps” the words and comma “Forces, Corps or Guard” shall be substituted at both places ; Amendment of section 2, Act II of 1901.

(b) in clause (c), the word “Indian” shall be omitted ;

(c) for clause (d) the following shall be substituted, namely :—

“ (d) the expressions “the Pakistan Army” and “the Royal Pakistan Air Force” include the

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

Reserves, respectively, of the Pakistan Army and the Royal Pakistan Air Force, when subject to military or air force law, as the case may be ;” ;

- (d) for clause (f), the following shall be substituted, namely :—

“ (f) the expression “ Irregular Corps ” means any force (other than the Pakistan Territorial Force or the Pakistan National Guard) raised and maintained in Pakistan under the authority of the Central Government or any other force which may be specified in this behalf by a notification published in the official Gazette ;” ;

- (e) for clause (g), the following clause shall be substituted, namely :—

“ (g) the expression “ Pakistan Reserve Forces ” means the forces constituted under the Pak-^{XLVII}istan (Army and Air Force) Reserves Act, ^{of} 1950 ;” ;

- (f) for clause (i), the following shall be substituted, namely :—

“ (i) “ public authority ” means the Central Government, or a Provincial Government, or a local authority, or, in an Acceding State, the Government of that State, and, so far as regards tolls levied by a railway company, under section 51 of the Railways Act, 1890, includes ^{IX of} such a company ;” ;

- (g) in clause (j), the word “ Indian ” shall be omitted.

Amendment
of section 3,
Act II of
1901.

5. In section 3 of the Act,—

- (a) for clause (a) the following shall be substituted, namely :—

“ (a) all officers, soldiers and airmen of—

(i) the Pakistan Army and the Royal Pakistan Air Force ;

(ii) any Irregular Corps, or

(iii) the Forces of an Acceding State, when on duty or on the march ;” ;

- (b) in clause (b), for the words and brackets “ Auxiliary Force (India) or of the Indian Territorial Force ” the words “ Pakistan Territorial Force or of the Pakistan National Guard ” shall be substituted ;

- (c) in clause (c), for the word “ Indian ” the word “ Pakistan ” shall be substituted ;

(d) for clause (d), the following clause shall be substituted, namely :—

“ (d) all authorised followers of—

- (i) the Pakistan Army or the Royal Pakistan Air Force ;
- (ii) the Pakistan Territorial Force, or the Pakistan National Guard ;
- (iii) any Irregular Corps ; or
- (iv) the forces of an Acceding State, when they accompany any body of such Forces, Corps or Guard on the march, or when they are otherwise moving under the orders of military or air force authority ; ” ;

(e) in paragraph (i) of clause (e), for the words, “ His Majesty’s Regular Forces ”, the words “ the Pakistan Army or the Royal Pakistan Air Force ” shall be substituted ;

(f) in clause (h) for the words “ His Majesty or employed in His Majesty’s ” the words “ the Central Government or employed in ” shall be substituted ;

(g) in clause (i), the words “ His Majesty’s ” shall be omitted ;

(h) for the words “ the Provinces and the Capital of the Federation ” at the end of the section the word “ Pakistan ” shall be substituted ;

(i) in the Explanation at the end of the section for the word “ troops ” the words and commas “ Corps, Guard, ” shall be substituted.

6. In section 4 of the Act,—

in clause (c) of sub-section (1), for the words “ His Majesty or employed in His Majesty’s ” the words “ the Central Government or employed in ” shall be substituted.

Amendment
of section 4,
Act II of
1901.

THE INDIAN AIR FORCE (AMENDMENT) ACT, 1951.

¹ACT No. XXXIX OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the Indian Air Force Act, 1932

XIV
of
1932. WHEREAS it is expedient further to amend the Indian
Air Force Act, 1932, for the purposes hereinafter appear-
ing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Indian Air Force
(Amendment) Act, 1951.

Short title
and com-
mencement.

(2) It shall come into force at once.

2. In section 84 of the Indian Air Force Act, 1932, for
the words "Judge Advocate General in India", the words
"Judge Advocate General, Royal Pakistan Air Force"
shall be substituted.

Amendment
of section
84, Act XIV
of 1932.

3. In the *Explanation* to section 90 of the said Act,
for the words "Judge Advocate General in India" the
words "Judge Advocate General, Royal Pakistan Air
Force" shall be substituted.

Amendment
of section,
90, Act XIV
of 1932.

VIII
of
1911,
XIV
of
1932. 4. Any reference to the Judge Advocate General in
India in any enactment other than the Indian Army Act,
1911, or the Indian Air Force Act, 1932, or in any notifi-
cation, rule or order under any enactment or in any con-
tract, deed or other instrument shall, if the said
enactment, notification, rule, order, contract, deed or
instrument relates to the Pakistan Army be construed
as a reference to the Judge Advocate General, Pakistan
Army, and if to the Royal Pakistan Air Force, to the
Judge Advocate General, Royal Pakistan Air Force.

Interpreta-
tion.

¹For Statement of Objects and Reasons, see Gazette of
Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

Price : Anna 1

GPPK—L 158 LD—14-9-55—1,000

THE INDIAN ARMY (AMENDMENT) ACT, 1951.

ACT No. XL OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the 22nd
December, 1951.)

An Act further to amend the Indian Army Act, 1911

VIII
of
1911. WHEREAS it is expedient further to amend the Indian
Army Act, 1911, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

- 1.—(1) This Act may be called the Indian Army Short title
(Amendment) Act, 1951. and com-
(2) It shall come into force at once. mencement.

2. In section 78 of the Indian Army Act, 1911 for the Amendment
words "Judge Advocate General in India", the words of section
"Judge Advocate General, Pakistan Army" shall be 78, Act VIII
substituted. of 1911.

3. In the *Explanation* to section 85 of the said Act, for Amendment
the words "Judge Advocate General in India", the words of section
"Judge Advocate General, Pakistan Army" shall be 85, Act VIII
substituted. of 1911.

VIII
of
1911. 4. Any reference to the Judge Advocate General in Interpreta-
XIV
of 1911. India in any enactment other than the Indian Army Act, tion.
XIV
of 1911. 1911, or the Indian Air Force Act, 1932, or in any notifica-
of 1932. tion, rule or order under any enactment or in any
contract, deed or other instrument shall, if the said
enactment, notification, rule, order, contract, deed or
instrument relates to the Pakistan Army be construed
as a reference to the Judge Advocate General, Pakistan
Army, and if to the Royal Pakistan Air Force, to the
Judge Advocate General, Royal Pakistan Air Force.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan,
dated the 23rd November, 1951, Pt. V, p. 17.

Price : Anna 1

GPPK—L-159-Law—14-9-55—1,000.

THE TARIFF (THIRD AMENDMENT) ACT, 1951

¹ACT NO. XLI OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act further to amend the Tariff Act, 1934

XXXII WHEREAS it is expedient further to amend the Tariff
of 1934. Act, 1934, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

- 1.—(1) This Act may be called the Tariff (Third Amendment) Act, 1951. Short title and commencement.
- (2) It shall come into force at once.
2. Section 3 of the Tariff Act, 1934, hereinafter referred to as the said Act, shall be omitted. Omission of section 3, Act XXXII of 1934.
3. In section 4 of the said Act—Amendment of section 4, Act XXXII of 1934.
 - (a) the proviso to sub-section (1) shall be omitted;
 - (b) sub-section (2) shall be omitted; and
 - (c) sub-section (3) shall be omitted.
4. In sub-section (1) of section 11 of the said Act, for the word “seventh” the word “fifth” shall be substituted. Amendment of section 11, Act XXXII of 1934.
- 5.—(1) In the First Schedule to the said Act, the following modifications shall be made, namely:—Amendment of First Schedule, Act XXXII of 1934.
 - (a) in the entry in the fourth column against item 3 (1), the word “Indian” shall be omitted;
 - (b) the entry in the third column against item 13(1) shall be omitted and for the entry in the fourth column against that item the following entry shall be substituted, namely:—
“free”;
 - (c) for the entry in the fourth column against item 24 (1), the following entry shall be substituted, namely:—
“37½ per cent. *ad valorem* plus Rs. 15|10|- per lb.”;
 - (d) in the entries in the second column against items 30 and 30 (4), for the words, comma and

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, dated the 23rd November, 1951, Pt. V, pp. 102-103.

figures "Indian Petroleum Act, 1899" the words, comma and figures "Petroleum Act, 1934", shall be substituted;

- (e) against the item number of the said Schedule specified in the first column of the subjoined table, the entries in the second, third and fourth columns of the table shall be substituted for the entries in the corresponding columns of the said Schedule, namely:—

"TABLE"

Item No.	Name of Article	Nature of duty.	Rate of duty
63 (18)	(a) Iron or steel pipes and tubes also fittings therefor, that is to say, bends, boots, elbows, tees, sockets, flanges, plugs, valves, cocks, and the like, excluding pipes, tubes and fittings therefor otherwise specified.	Revenue	18 $\frac{3}{4}$ per cent. <i>ad valorem</i> .
	(b) Iron or steel tubular structures not otherwise specified, if made wholly or mainly of iron or steel pipes and tubes for the construction of buildings, bridges, tanks, well curbs, trestles, towers and similar structures or for parts thereof, but not including builders' hardware or any of the articles specified in items 72, 73(3), 74(1), 75(3), 75(4) or 76(1).	Revenue	18 $\frac{3}{4}$ per cent. <i>ad valorem</i> ."

- (f) to the first column the following entry shall be added after item 71(7), namely:—

"71(8)";

and against that entry shall be added in the second column the words and figures "Grinding wheels of diameter up to and including 14 inches", in the third column the word "Protective", in the fourth column the figures and words "80 per cent. *ad valorem*.", and in the fifth column the word, figures and comma "October 19, 1954.";

- (g) after clause (d) of the entry in the second column against item 72, the following new clause shall be inserted, namely:—

"(dd) industrial type power switchboards;";

- (h) to the first column the following entry shall be added after item 73(6), namely:—

"73(7)".

and against that entry shall be added in the second column the words "Electric fans", in the

third column the word "Protective", in the fourth column the figures and words "45 per cent. *ad valorem*.", and in the fifth column the word, figures and comma "March 31, 1952.";

(i) against item 80 (3) :—

(i) in clause (a) of the entry in the second column, for the words "His Majesty's Service entitled to wear diplomatic, military, naval, Royal Air Force", the words "the service of the Crown in Pakistan entitled to wear diplomatic, military, naval, air force" shall be substituted;

(ii) for clause (b) of the entry in the second column the following shall be substituted, namely :—

"(b) A revolver and an automatic pistol and ammunition for such revolver and pistol up to a maximum of 100 rounds per revolver or pistol, (i) when accompanying a commissioned officer of the naval, military or air forces of Pakistan or of the Pakistan Territorial Forces or the Pakistan National Guard or a gazetted police officer, or (ii) certified by the commandant of the corps or unit to which such officer belongs or, in the case of an officer not attached to any corps or unit, by the officer commanding the naval, military or air force station in which such officer is serving or any higher naval, military, or air force authority, as the case may be, or in the case of a police officer, by an Inspector General, to be imported by the officer for the purpose of his equipment.";

(iii) for clause (c) of the entry in the second column the following shall be substituted, namely :—

"(c) Swords for presentation as naval, military or air force prizes or as prizes in relation to service in the Pakistan Territorial Force or the Pakistan National Guard.";

(iv) in clause (d) of the entry in the second column for the words, figures and comma, "a State in Pakistan being a unit notified in pursuance of the First Schedule to the Extradition Act, 1903" the words "an Acceding State" shall be substituted; and

(v) in clause (e) of the entry in the second column for the words "British and Pakistan regiments or volunteer corps" the words "units of the naval, military or air forces of Pakistan or of the Pakistan Territorial

Force or the Pakistan National Guard”
shall be substituted.

I of
1951. (2) The additional duties of customs referred in section
4 of the Finance Act, 1951, shall not be levied or collected
on the articles enumerated in the second column against
items 24(1) and 63(18).

THE TARIFF (FOURTH AMENDMENT) ACT, 1951

¹Act No. XLII of 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

*(Received the assent of the Governor-General on the
22nd December, 1951.)*

An Act further to amend the Tariff Act, 1934

WHEREAS it is expedient further to amend the Tariff Act, 1934, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Tariff (Fourth Amendment) Act, 1951. Short title
and com-
mencement

(2) It shall come into force at once.

2. In the Second Schedule to the Tariff Act, 1934, in the entry in the third column against sub-item (1) of item 1 relating to meshta fibre and raw jute cuttings, for the words and figures "Rs. 8 per bale of 400 lbs." the words and figures "Rs. 10 per bale of 400 lbs." shall be substituted ; and against sub-item (2) of item 1 relating to all other descriptions of meshta fibre and raw jute, for the words and figures "Rs. 25 per bale of 400 lbs." the words and figures "Rs. 35 per bale of 400 lbs." shall be substituted. Amend-
ment of the
Second
Schedule,
Act XXXII
of 1934.

Ordinance VII of 1951. 3. The Tariff (Amendment) Ordinance, 1951, is hereby repealed, and the amendment made by this Act in the Tariff Act, 1934, shall be deemed to have taken effect as if this Act had commenced on the first day of November, 1951. Repeal of
Ordinance
No. VII of
1951.

¹ For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

Price : Anna 1

**THE CAPITAL ISSUES (CONTINUANCE OF CONTROL)
(AMENDMENT) ACT, 1951.**

¹ACT No. XLIII OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE)]

*(Received the assent of the Governor-General on the 22nd
December, 1951.)*

**An Act further to amend the Capital Issues (Continuance of
Control) Act, 1947.**

WHEREAS it is expedient further to amend the Capital Issues
XXIX of (Continuance of Control) Act, 1947, for the purposes hereinafter
1947. appearing ;

It is hereby enacted as follows :—

1. This Act may be called the Capital Issues (Continuance of Control) (Amendment) Act, 1951. Short title.

2. In sub-section (3) of section 1 of the Capital Issues (Continuance of Control) Act, 1947, for the figure "1952" the figure "1955" shall be substituted. Amendment of section 1, Act XXIX of 1947.

¹For Statement of Objects and Reasons, see Gazette of Pakistan, 1951, Pt. V, dated the 23rd November, 1951.

Price : Anna 1

THE PAKISTAN NATIONAL GUARD (AMENDMENT) ACT, 1951.

¹ACT No. XLIV OF 1951

[PASSED BY THE PAKISTAN CONSTITUENT ASSEMBLY
(LEGISLATURE).]

(Received the assent of the Governor-General on the
22nd December, 1951.)

An Act to amend the Pakistan National Guard Act, 1950

LXIII
of
1950. WHEREAS it is expedient to amend the Pakistan National
Guard Act, 1950, for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1.—(1) This Act may be called the Pakistan National
Guard (Amendment) Act, 1951.

Short title
and com-
mencement.

(2) It shall come into force at once and shall be
deemed to have taken effect on the first day of Septem-
ber, 1951.

2. In clause (b) of sub-section (2) of section 11 of
the Pakistan National Guard Act, 1950,—

Amendment
of section
11, Act
LXIII of
1950.

(a) for the words “a notification” the words “an
order” shall be substituted ; and

(b) the words “and published in the official
Gazette” shall be omitted.

¹ For Statement of Objects and Reasons, see Gazette of
Pakistan, Extraordinary, 1951, p. 795.

Price : Anna 1

GPPK—L161LD—14-9-55—500

**THE ESSENTIAL SUPPLIES (TEMPORARY POWERS)
(CHEMICALS) ORDINANCE, 1951**

ORDINANCE No. I OF 1951

[23rd January, 1951]

**An Ordinance to enable the application of the Essential
Supplies (Temporary Powers) Act, 1946, to
chemicals.**

WHEREAS an emergency has arisen which renders it necessary to enable the application of the Essential Supplies (Temporary Powers) Act, 1946, to chemicals ;

26 Geo. 5
c. 2.

NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Essential Supplies (Temporary Powers) (Chemicals) Ordinance, 1951. Short title,
extent and
commence-
ment.

(2) It extends to the Capital of the Federation.

(3) It shall come into force at once.

XXIV of
1946.

2. The provisions of clause (d) of section 2, sub-sections (1), (2) and (4) of section 3, section 4 with the exception of clause (b), and sections 6 to 16 of the Essential Supplies (Temporary Powers) Act, 1946, shall apply in respect of chemicals as they apply in respect of an essential commodity as defined in that Act. Application
of Act XXIV
of 1946, to
chemicals.

K. NAZIMUDDIN,
Governor-General.

Price : Anna 1

THE TARIFF (AMENDMENT) ORDINANCE, 1951

ORDINANCE No. II OF 1951

[4th February, 1951]

An Ordinance further to amend the Tariff Act, 1934

XXXII of
1934.

WHEREAS an emergency has arisen which makes it necessary further to amend the Tariff Act, 1934 ;

28 Geo. 5,
ch. 2

Now, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Tariff (Amendment) Ordinance, 1951. Short title and commencement.
(2) It shall come into force at once.

XXXII of
1934.

2. In the First Schedule to the Tariff Act, 1934, after the entry in column 5 against item 75 (1), the following shall be added, namely :— Amendment of First Schedule, Act XXXII of 1934.

“ Provided that the Central Government may by Notification in the official Gazette increase the rate of duty on any article comprised in this item to a rate not exceeding the standard rate. ”

3. Any sum levied under the authority of notification No. 351/422/50 published on the 30th day of December, 1950, by the Ministry of Commerce in the Central Government shall, upon application made by the person who has paid it, be refunded, and it is hereby expressly declared that no suit or proceeding shall lie in respect of any such sum or for anything in good faith done or believed to be done on the faith of the notification. Refund and indemnity.

K. NAZIMUDDIN,
Governor-General.

Price : Anna 1

**THE UNIVERSITY OF KARACHI (AMENDMENT)
ORDINANCE, 1951.**

ORDINANCE NO. III OF 1951

[15th February, 1951]

**An Ordinance to amend the University of Karachi Act,
1950.**

WHEREAS an emergency has arisen which renders it necessary to amend the University of Karachi Act, LIX of 1950, for the purpose hereinafter appearing ;

NOW, THEREFORE, the Governor-General in exercise of the powers conferred by section 42 of the Government of India Act, 1935, is pleased to make and promulgate the following Ordinance :—

1. (1) The Ordinance may be called the University of Karachi (Amendment) Ordinance, 1951.

Short title
and com-
mencement.

(2) It shall come into force at once.

2. For sub-section (2) of section 1 of the University of Karachi Act, 1950, the following shall be substituted, namely :—

Amendment
of section 1,
Act LIX of
1950.

“(2) This section shall come into force at once : the remaining provisions of the Act shall come into force on such date or dates as the Central Government may, by notification in the official Gazette, appoint in this behalf.”

K. NAZIMUDDIN,
Governor-General.

Price : Anna 1.

GGPPK—206LD—14-3-51—2000.

THE INDIAN ARMY (APPLICATION OF PROVISIONS) (AMENDMENT) ORDINANCE, 1951.

ORDINANCE No. IV OF 1951.

[12th May, 1951]

An Ordinance to amend the Indian Army (Application of Provisions) Act, 1950.

LXXXV of 1950. WHEREAS an emergency has arisen which renders it necessary to amend the Indian Army (Application of Provisions) Act, 1950, for the purposes hereinafter appearing ;

26 Geo. 5, c. 2. NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Indian Army (Application of Provisions) (Amendment) Ordinance, 1951. Short title and commencement.

(2) It shall come into force at once.

LXXXV of 1950. 2. In section 2 of the Indian Army (Application of Provisions) Act, 1950, for the words commencing "who holds" and ending "be deemed" the following shall be substituted, namely :— Amendment of section 2, Act LXXXV of 1950.

"who held a commission in His Majesty's Land Forces immediately before the fifteenth day of August, 1947, shall with effect on and from that day be deemed".

K. NAZIMUDDIN,
Governor-General.

Price : Anna 1.

GGPPK—30 LD—9-11-51—1975.

THE CONTROL OF SHIPPING (AMENDMENT) ORDINANCE, 1951.

ORDINANCE No. V OF 1951.

[22nd June, 1951]

An Ordinance further to amend the Control of Shipping Act, 1947.

XXVI of
1947.

WHEREAS an emergency has arisen which makes it necessary further to amend the Control of Shipping Act, 1947, for the purposes hereinafter appearing ;

26 Geo. 5,
c. 2.

NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Control of Shipping (Amendment) Ordinance, 1951.

Short title
and com-
mencement.

(2) It shall come into force at once.

XXVI of
1947.

2. To section 5 of the Control of Shipping Act, 1947, the following new sub-section shall be added, namely :—

Amendment
of section 5,
Act XXVI
of 1947.

“(3) In cases—

(a) where a Shipping Authority has power to give directions under sub-section (1), or

(b) where the Central Government and or any Shipping Authority has power to give directions under sub-section (2), subject to the proviso to that sub-section,

the Shipping Authority or the Central Government, as the case may be, may from time to time by order in writing give general or special directions applicable to any ship with respect to the kind of cargo which may be carried in the ship, and the quantity in which such cargo may be put on board by any shipper specified in the order.”

K. NAZIMUDDIN,
Governor-General.

Price : Anna 1.

GGPPK—53 LD—9-11-51—1950

THE CIVIL DEFENCE (SPECIAL POWERS) ORDINANCE, 1951.

¹ ORDINANCE NO. VI OF 1951

[26th July, 1951]

An Ordinance to provide for special powers to secure the civil defence of the Federation.

WHEREAS an emergency has arisen which makes it necessary to provide for special powers to secure the civil defence of the Federation;

26. Now, THEREFORE, in exercise of the powers conferred
Geo. by section 42 of the Government of India Act, 1935, the
5, c. 2. Governor-General is pleased to make and promulgate the following Ordinance:—

1.—(1) This Ordinance may be called the Civil Defence (Special Powers) Ordinance, 1951. Short title, extent and commencement.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2.—(1) The Central Government may by notification in the official Gazette make such rules² as appear to it to be necessary or expedient for securing the Civil Defence of the Federation. Power to make rules.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) such rules may provide for, or may empower any authority to make orders providing for, all or any of the following matters, namely:—

- (a) the constitution, enrolment, discipline, powers, duties, privileges and protection of Air Raid Precautions Services and Civil Defence Services;
- (b) measures for preventing and dealing with the outbreak of fire;
- (c) the protection of private and public buildings, major ports and their environs, factories, mines and public utility undertakings;
- (d) precautionary measures and maintenance of supplies by local authorities and public utility undertakings;
- (e) the construction of shelters and safety measures to protect persons, property and records;

¹ This Ordinance has been applied to the areas situated within the external Frontiers of Pakistan which are not included in any of the Provinces or in the Chief Commissioner's Province of Baluchistan or in any of the Acceding States or in the Capital of the Federation; and it has been applied also to Baluchistan, *see* Gazette of Pakistan, 1951, Extraordinary, page 565.

² For the Civil Defence (Special Powers) Rules, 1951, *see* Gazette of Pakistan, 1951, Extraordinary pages 571-582; and for Railway Air Raid Precautions Services Rules (1951), *see* *ibid.*, pages 667-672.

(f) the control of lights, sounds and vehicles ;

(g) the requisition of property and acquisition thereof.

(3) The rules made under sub-section (1) may further—

(a) provide for the arrest and trial of persons contravening any of the rules or any order issued thereunder ;

(b) provide that any contravention of, or any attempt to contravene, and any abetment of, or attempt to abet, the contravention of any of the provisions of the rules, or any order issued under any such provision, shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to Rs. 5,000, or with both.

Ordinary avocations of life to be interfered with as little as possible.

3. An authority or a person acting in pursuance of this Ordinance shall interfere with the ordinary avocations of life and the enjoyment of property as little as may be consonant with the purpose of ensuring the public safety and interest and the defence of Pakistan.

Savings as to orders.

4.—(1) No order made in exercise of any power conferred by or under this Ordinance shall be called in question in any Court.

(2) Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Ordinance, the Court shall, within the meaning of the Evidence Act, 1872, presume that such order was so made by that authority.

Protection of action taken under the Ordinance.

5.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Ordinance or any rules made thereunder or any order issued under any such rule.

(2) Save as otherwise expressly provided under this Ordinance, no suit or other legal proceeding shall lie against the Crown for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Ordinance or any rules made thereunder or any order issued under any such rule.

Compensation to be paid in accordance with certain principles for compulsory acquisition of immovable property, etc.

6.—(1) Where under section 7 by or under any rule made under this Ordinance any action is taken of the nature described in sub-section (2) of section 299 of the Government of India Act, 1935, there shall be paid compensation, the amount of which shall be determined in the manner, and in accordance with the principles, herein after set out, that is to say :—

(a) Where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement.

26 Geo. 5, c. 2.

26
Geo.
5, c. 2.

- (b) Where no such agreement can be reached, the Central Government shall appoint as arbitrator a person qualified under sub-section (3) of section 220 of the Government of India Act, 1935, for appointment as a Judge of a High Court.
- (c) The Central Government may, in any particular case, nominate a person having expert knowledge of the kind of property which has been acquired, to be an assessor to assist the arbitrator, and where such nomination is made, the person to be compensated may also nominate an assessor for the said purpose.
- (d) At the commencement of the proceedings before the arbitrator, the Central Government and the person to be compensated shall state what in their respective opinions is a fair amount of compensation.
- (e) The arbitrator in making his award shall have regard to—
 - (i) the provisions of sub-section (1) of section 23 of the Land Acquisition Act, 1894, so far as the same can be made applicable; and
 - (ii) whether the acquisition is of a permanent or temporary character:

Provided that where any property requisitioned under any rule made under this Ordinance is subsequently acquired under section 7 or any such rule, the arbitrator in any proceedings in connection with such acquisition shall, for the purposes of the provisions of the said section 23, take into consideration the market-value of the property at the date of its requisition as aforesaid and not at the date of its subsequent acquisition.
- (f) An appeal shall lie to the High Court against any award of an arbitrator except in cases where the amount awarded does not exceed an amount prescribed in this behalf by rule made by the Central Government.
- (g) Save as provided in this section and in any rules made thereunder, nothing in any law for the time being in force shall apply to arbitrations under this section.
- (2) The Central Government may make rules for the purpose of carrying into effect the provisions of this section.
- (3) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe—
 - (a) the procedure to be followed in arbitrations under this section;

- (b) the principles to be followed in apportioning the building not originally constructed for human appeal;
- (c) the maximum amount of an award against which no appeal shall lie.

Power to
acquire re-
quisitioned
property.

7.—(1) Without prejudice to any power to acquire property conferred by any rule made under this Ordinance, any immovable property which has been requisitioned under any rule so made may in the manner provided by any such rules for the acquisition of property, be acquired in the circumstances and by the Government hereinafter specified, namely:—

- (a) where any works have, during the period of requisition, been constructed on in or over the property wholly or partly at the expense of any Government, by that Government if it decides that the value of, or the right to use, such works shall, by means of the acquisition of the property, be preserved or secured for the purposes of any Government; or
- (b) where the cost to any Government of restoring the property to its condition at the time of its requisition as aforesaid would, in the determination of that Government, be excessive having regard to the value of the property at that time, by that Government;

and at the beginning of the day on which notice of such acquisition is served or published under the aforesaid rules, the immovable property shall vest in the acquiring Government free from any mortgage, pledge, lien or similar encumbrance, and the period of the requisition thereof shall end.

(2) Any decision or determination of a Government under sub-section (1) shall be final, and shall not be called in question in any Court.

(3) For the purposes of this section, "works" includes buildings, constructions and improvements of the property, of every description.

Release
from requi-
sition.

8.—(1) Where any property requisitioned under any rule made under this Ordinance is to be released from such requisition, the Government by which or under whose authority the property was requisitioned or any person generally or specially authorised by it in this behalf may, after such enquiry, if any, as it or he may in any case consider it necessary to make or cause to be made, specify by order in writing the person to whom possession of the property shall be given.

(2) The delivery of possession of the property to the person specified in an order under sub-section (1) shall be a full discharge of the Government from all liabilities in respect of the property, but shall not prejudice any rights

in respect of the property which any other person may be entitled by due process of law to enforce against the person to whom possession of the property is given.

9. The Central Government may, by notification in the official Gazette, direct that all or any of the powers or duties which under the provisions of this Ordinance or rules made thereunder are conferred or imposed upon the Central Government shall be exercised or discharged by any officer or authority subordinate to it or by the Provincial Government; and the Provincial Government may, by a like notification, direct that all or any of the powers or duties as aforesaid, to be exercised or discharged by it, shall be exercised and discharged by any officer or authority subordinate to it.

K. NAZIMUDDIN,
Governor-General.

THE TARIFF (AMENDMENT) ORDINANCE, 1951

ORDINANCE No. VII OF 1951

[31st October, 1951]

An Ordinance further to amend the Tariff Act, 1934

WHEREAS an emergency has arisen which makes it necessary
XXXII further to amend the Tariff Act, 1934;

1934. Now, THEREFORE, in exercise of the powers conferred by
26 Geo. section 42 of the Government of India Act, 1935, the Governor-
5, Ch. General is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the Tariff (Amend- Short title
ment) Ordinance, 1951. and com-
ment.

(2) It shall come into force on 1st November, 1951.

2. In the Second Schedule to the Tariff Act, 1934, in the Amendment
entry in the third column against sub-item (1) of item 1 relat- of the
ing to meshta fibre and raw jute cuttings, for the words and Second
figures "Rs. 8 per bale of 400 lbs.", the words and figures Schedule,
"Rs. 10 per bale of 400 lbs." shall be substituted; and against Act XXXII
sub-item (2) of item 1 relating to all other descriptions of of 1934.
meshta fibre and raw jute, for the words and figures "Rs. 25 per
bale of 400 lbs.", the words and figures "Rs. 35 per bale of 400
lbs." shall be substituted.

GHULAM MOHAMMED,

Governor-General.

Price : Anna 1

THE CIVIL DEFENCE ORDINANCE, 1951

ORDINANCE NO. VIII OF 1951

[20th December, 1951]

An Ordinance to provide for powers to secure the civil defence of the Federation.

WHEREAS an emergency has arisen which makes it necessary to provide for powers to secure the civil defence of the Federation;

26
Geo. 5 c.2. Now, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance :—

1.—(1) This Ordinance may be called the Civil Defence Ordinance, 1951. Short title, extent and commencement.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2.—(1) The Central Government may by notification in the official Gazette make such rules as appear to it to be necessary or expedient for securing the civil defence of the Federation. Power to make rules.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) such rules may provide for, or may empower any authority to make orders providing for, all or any of the following matters, namely,—

- (a) the constitution, enrolment, discipline, powers, duties, privileges and protection of Air Raid Precautions Services and Civil Defence Services;
- (b) the evacuation of areas and accommodation of evacuated persons;
- (c) measures for preventing and dealing with the outbreak of fire;
- (d) the protection of private and public buildings, major ports and their environs, factories, mines and public utility undertakings;
- (e) precautionary measures and maintenance of supplies by local authorities and public utility undertakings;
- (f) the construction of shelters and safety measures to protect persons, property and records;
- (g) the control of lights, sounds and vehicles;
- (h) the requisition of property and acquisition thereof.

(3) The rules made under sub-section (1) may further—

- (a) provide for the arrest and trial of persons contravening any of the rules or any order issued thereunder;

Price : Annas 2.

- (b) provide that any contravention of, or any attempt to contravene, and any abetment of, or attempt to abet, the contravention of any of the provisions of the rules, or any order issued under any such provision, shall be punishable with imprisonment for a term which may extend to five years, or with fine which may extend to Rs. 5,000, or with both.

Ordinary avocations of life to be interfered with as little as possible. 3. An authority or a person acting in pursuance of this Ordinance shall interfere with the ordinary avocations of life and the enjoyment of property as little as may be consonant with the purpose of ensuring the public safety and interest and the defence of Pakistan.

Savings as to orders. 4.—(1) No order made in exercise of any power conferred by or under this Ordinance shall be called in question in any Court.

(2) Where an order purports to have been made and signed by an authority in exercise of any power conferred by or under this Ordinance, the Court shall, within the meaning of the Evidence Act, 1872, presume that such order was so made by that authority. I of 1872.

Protection of action taken under the Ordinance. 5.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Ordinance or any rules made thereunder or any order issued under any such rule.

(2) Save as otherwise expressly provided under this Ordinance, no suit or other legal proceeding shall lie against the Crown for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Ordinance or any rules made thereunder or any order issued under any such rule.

Compensation to be paid in accordance with certain principles for compulsory acquisition of immovable property, etc. 6.—(1) Where under section 7 by or under any rule made under this Ordinance any action is taken of the nature described in sub-section (2) of section 299 of the Government of India Act, 1935, there shall be paid compensation, the amount of which shall be determined in the manner, and in accordance with the principles, herein-²⁶ after set out, that is to say:—

(a) Where the amount of compensation can be fixed by agreement, it shall be paid in accordance with such agreement.

(b) Where no such agreement can be reached, the Central Government shall appoint as arbitrator a person qualified under sub-section (3) or section 220 of the Government of India Act, 1935, for appointment as a Judge of a High Court. ²⁶ Geo. 5, c. 2.

(c) The Central Government may, in any particular case, nominate a person having expert knowledge of the kind of property which has been

acquired, to be an assessor to assist the arbitrator, and where such nomination is made, the person to be compensated may also nominate an assessor for the said purpose.

(d) At the commencement of the proceedings before the arbitrator, the Central Government and the person to be compensated shall state what in their respective opinions is a fair amount of compensation.

(e) The arbitrator in making his award shall have regard to—

- (i) the provisions of sub-section (1) of section 23 of the Land Acquisition Act, 1894, so far as the same can be made applicable; and
- (ii) whether the acquisition is of a permanent or temporary character:

Provided that where any property requisitioned under any rule made under this Ordinance is subsequently acquired under section 7 or any such rule, the arbitrator in any proceedings in connection with such acquisition shall, for the purposes of the provisions of the said section 23, take into consideration the market-value of the property at the date of its requisition as aforesaid and not at the date of its subsequent acquisition.

(f) An appeal shall lie to the High Court against any award of an arbitrator except in cases where the amount awarded does not exceed an amount prescribed in this behalf by rule made by the Central Government.

(g) Save as provided in this section and in any rules made thereunder, nothing in any law for the time being in force shall apply to arbitrations under this section.

(2) The Central Government may make rules for the purpose of carrying into effect the provisions of this section.

(3) In particular and without prejudice to the generality of the foregoing power, such rules may prescribe—

- (a) the procedure to be followed in arbitrations under this section;
- (b) the principles to be followed in apportioning the costs of proceedings before the arbitrator and on appeal;
- (c) the maximum amount of an award against which no appeal shall lie.

7.—(1) Without prejudice to any power to acquire property conferred by any rule made under this Ordinance, any immovable property which has been requisitioned

property.

under any rule so made may in the manner provided by any such rules for the acquisition of property, be acquired in the circumstances and by the Government hereinafter specified, namely :—

- (a) where any works have, during the period of requisition, been constructed on, in or over the property wholly or partly at the expense of any Government, by that Government if it decides that the value of, or the right to use, such works shall, by means of the acquisition of the property, be preserved or secured for the purposes of any Government ; or
- (b) where the cost to any Government of restoring the property to its condition at the time of its requisition as aforesaid would, in the determination of that Government, be excessive having regard to the value of the property at that time, by that Government ;

and at the beginning of the day on which notice of such acquisition is served or published under the aforesaid rules, the immovable property shall vest in the acquiring Government free from any mortgage, pledge, lien or similar encumbrance, and the period of the requisition thereof shall end.

(2) Any decision or determination of a Government under sub-section (1) shall be final, and shall not be called in question in any Court.

(3) For the purposes of this section, "works" includes buildings, constructions and improvements of the property, of every description.

Release from requisition.

8.—(1) Where any property requisitioned under any rule made under this Ordinance is to be released from such requisition, the Government by which or under whose authority the property was requisitioned or any person generally or specially authorised by it in this behalf may, after such enquiry, if any, as it or he may in any case consider it necessary to make or cause to be made, specify by order in writing the person to whom possession of the property shall be given.

(2) The delivery of possession of the property to the person specified in an order under sub-section (1) shall be a full discharge of the Government from all liabilities in respect of the property, but shall not prejudice any rights in respect of the property which any other person may be entitled by due process of law to enforce against the person to whom possession of the property is given.

Delegation of powers under the Ordinance.

9. The Central Government may, by notification in the official Gazette, direct that all or any of the powers or duties which under the provisions of this Ordinance or rules made thereunder are conferred or imposed upon the Central Government shall be exercised or discharged by

any officer or authority subordinate to it or by the Provincial Government; and the Provincial Government may, by a like notification, direct that all or any of the powers or duties as aforesaid, to be exercised or discharged by it, shall be exercised and discharged by any officer or authority subordinate to it.

Ord. 10.—(1) The Civil Defence (Special Powers) Ordinance, 1951, is hereby repealed. Repeal and Savings.
 VI of 1951.

(2) Every appointment, order or rule made under the aforesaid Ordinance and in force immediately before the commencement of this Ordinance shall, so far as it is not inconsistent with the provisions of this Ordinance, be deemed to have been made under the provisions of this Ordinance and have effect accordingly subject to the provisions of this Ordinance.

GHULAM MOHAMMED,
Governor-General.

**THE INDIAN ARMY (APPLICATION OF
PROVISIONS) (SECOND AMENDMENT)
ORDINANCE, 1951.**

ORDINANCE NO. IX OF 1951

[22nd December, 1951]

An Ordinance further to amend the Indian Army (Application of Provisions) Act, 1950.

LXXXV
of 1950. WHEREAS an emergency has arisen which renders it necessary to amend the Indian Army (Application of Provisions) Act, 1950, for the purposes hereinafter appearing;

26 Geo.
5, c. 2. NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance:—

1.—(1) This Ordinance may be called the Indian Army Short title
(Application of Provisions) (Second Amendment) Ordinance, 1951. and commencement.

(2) It shall come into force at once.

2. In section 2 of the Indian Army (Application of Provisions) Act, 1950, for the words commencing "being a national" and ending "deemed to be" the words "who is a citizen of Pakistan and was holding a commission in His Majesty's Land Forces immediately before the fifteenth day of August, 1947, shall be deemed to be and from the fourteenth day of August, 1947, to have been" shall be substituted. Amendment of section 2, Act LXXXV of 1950.

3. The Indian Army (Application of Provisions) (Amendment) Ordinance, 1951, is hereby repealed. Repeal of Ordinance IV of 1951.

GHULAM MOHAMMED,

Governor-General.

Price: Anna 1

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